USE OF DISCRETION BY BUREAUCRATIC MANAGERS IN THE HIGH COUNTRY

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Abstract

In the State of North Carolina, county departments of social services help provide their clients with the necessary tools for day to day life. These bureaucratic agencies are regulated by county, state, and federal governments but are primarily overseen by the North Carolina Department of Health and Human Services (NCDHHS, hereafter DHHS), which sets guidelines and policy to be dispensed at the county level. In addition to these guidelines, it was believed that the next greatest influence on policy outcomes from bureaucratic agencies came from the discretionary decision-making practices of street-level bureaucrats through client processing procedures. However, research conducted by Hupe and van Kooten (2015) brought to light the idea that first-line bureaucratic supervisors, those only one or two places removed from client interaction, wielded discretionary authority that can greatly impact the implementation of policy by their subordinates. In the context of North Carolina social services departments, directors and supervisors serve as these first-line bureaucrats. Such theories beg the question of how discretionary choices made by directors and supervisors affect policy outcomes as a whole. To what extent do North Carolina laws and regulations leave room for county-level department directors and supervisors to utilize their discretion concerning policy implementation? In this research, it is shown that in the context of High Country Social Services Organizations, first-line supervisors engage in rule processing behavior that can be categorized as either strengthening, augmenting, or passing-on. Furthermore, when addressing the reasoning behind their processing mechanisms, respondents indicated a variety of desiderata that lead me to conclude that first-line supervisors' discretionary decision-making should be viewed as an individual-specific equation, with variables changing with each person.

Introduction

Across the State of North Carolina, county governments play one of the most active roles in the day to day lives of the citizens they govern. Counties and their respective governing bodies have control over county planning and zoning, taxation, and financial contributions to various agencies. Among the agencies a county controls is the Department of Social Services (DSS). County-level Departments exist to provide "direct services that address issues of poverty, family violence, and exploitation" with a specific aim of preventing "abuse, neglect, and exploitation of vulnerable citizens" (Social Services, n.d). Departments have a stringent focus on increasing each of their citizens' ability to be self-determinate and work to accomplish this goal through the administration of programs such as Medicaid, Low Income Energy Assistance, and Child Support Services (Social Services Commission. n.d.). In the State of North Carolina, county social services agencies are overseen by the North Carolina Department of Health and Human Services (NCDHHS), whose policies direct the actions of all county-level service providers (Social, n.d.).

Like all bureaucracies, NCDHHS and county departments can be defined as "permanent, goal-oriented systems" that function to perform tasks delegated to them by a legislative body (Epstein & O'Halloran, 1994; Meyer, 1997, p. 195). Due to such delegation, NCDHHS and county departments are subject to the traditional political controls of the legislature that created them. Such controls can be present from the agency's inspection or exercised throughout its lifetime, and can consist of design, policy implementation objectives, funding, required hiring processes, and so on (Epstein & O'Halloran, 1994, pp. 698-699). These controls exercised over bureaucratic agencies allow legislative and executive bodies to create agency policy objectives and ensure that they are followed.

Another primary factor that goes into policy outcomes and service administration is discretion given to individual agents working within such agencies, most specifically those considered "street-level bureaucrats" and their supervisors (Hupe, Hill, & Buffat, 2015, p. 17). Discretion is defined by Hupe, et. al as "the decisional room for maneuver a public official has in a context in which rules and regulations exist" (p. 17). Likewise, a street-level bureaucrat is loosely defined as a public official who works directly with citizens in roles they are trained to complete (Hupe et. al., 2015, p. 16). When policy goals are passed down to bureaucratic agencies, each individual has discretion in implementing said policy. Traditionally, research suggested that change in policy administration occurred at the street-level bureaucrat through "client-processing" or the routines and practices adopted by street-level bureaucrats to help manage the stress of their work environment (Hupe, et. al., 2015, p. 284). However, there are counter-theories that suggest supervisors and managers in bureaucratic agencies utilize discretion just as regularly as street-level bureaucrats and that such discretionary discussion making shapes the policy implementation and behavior of their subordinates (p. 290-291). In this context, individual social workers at county level departments would be considered street-level, while directors would be their supervisors. Proponents of this counter-theory call for an examination of the "actor's own evaluations and accounts of the use of discretion" to form an adequate understanding of the role managerial and supervisory discretion plays in policy implementation (Hupe, et. al. 2015, p. 293).

Such theories beg the question of what effects the discretionary choices of first-line managers have on policy outcomes as a whole. To what extent do North Carolina laws and regulations leave room for county-level department directors and supervisors to utilize their discretion concerning policy implementation? Or, in contrast, are directors and supervisors

bound to rigid standards of performance and expectations of policy implementation? Both rigidity and room for discretion leave policy-makers and first-line managers in interesting situations. If policy is rigid, first-line managers, and subsequently street-level bureaucrats, are unable to craft situation-specific approaches to problems they encounter. This puts potentially dire situations in the hands of policy-makers who are far removed from on-the-ground social work. In the alternative, policy leaving too much room to maneuver allows for bureaucratic agents to craft policy in their own right, with no accountability for its shortcomings.

In my research, I examine the use of rule processing by first-line bureaucratic managers, who are defined as those individuals in the middle of a vertical bureaucratic structure and "co-determine the effectiveness of policy while contributing to the outcomes" (p. 227). Further, I examine the extent to which rule processing leads to the augmentation of directives received by first-line managers, the extent to which rule processing decisions are policy-based, and the impact of rule processing behaviors as perceived by first-line bureaucratic managers. In this context, I consider rule processing as defined by Hupe and van Kooten, as "how [first-line bureaucratic managers] react when confronted with new rules coming from relevant stakeholders" (p. 227). My research questions are:

- 1) How do first-line bureaucratic managers in North Carolina social service agencies engage in rule processing?
- 2) To what extent does such rule processing lead to augmentation or buffering of directives?
- 3) To what extent does the rule in specific dictate the manner in which it is processed?
- 4) What is the impact of such rule processing based on the perceptions of the first-line bureaucratic managers?

Answers to these questions will shed light on the policy implementation practices of first-line managers in the high country of North Carolina, why these practices are used, and whether or not these practices are based on the specific rule that needs processing. The manner and reasoning for rule processing decisions at the managerial level drastically impact the effect a rule has when it reaches implementing staff members. As such, a greater understanding of the research questions will highlight areas of potential discrepancy in professional practice that could give way to disparate treatment of clientele. It is only through understanding potential discrepancies in professional practice that they can be studied for their effectiveness or discontinued.

Literature Review

Bureaucracies and Why They Exist

Meier (1997) defines bureaucracies as "permanent, goal-oriented systems" (p. 195) that are the foundation for organizational socialization. Bureaucratic agencies control a multitude of issues and often perform functions that are expressly or implicitly reserved for a legislative body. A legislative body has reason to turn over power to un-elected bureaucratic agencies because doing so often increases efficiency and creates better policy. Through proper delegation, a legislature can put tasks in the hands of the most qualified individuals to complete them, expedite the legislative process, prevent themselves from overwork, and avoid salient policy issues that could draw public scrutiny (Epstein & O'Halloran, 1994, pp. 698-710). However, through delegating tasks to bureaucratic agencies, the legislative body inherently allows them to exercise discretion over certain issues. Discretion is defined by Epstein and O'Halloran (1994) as "the limits of bureaucratic drift" (p. 702), and as "the latitude of choice within legal bounds" by

Buffat (2015, p. 79). This discretion, though adding a layer of unpredictability to the possible policy outcomes an agency will deliver, is essential to the bureaucratic system because it can allow agencies and administrators to make decisions representative of the ideals held by the public they serve (Sowa & Selden, 2003, pp. 700 -703). In light of this, a legislative body would not simply delegate powers to bureaucratic agencies and let them loose with no power to control or correct policy outcomes. Thus, legislative bodies, as well as the executive and judicial branches, have created various control mechanisms for bureaucratic agencies to ensure that they perform as intended and desired (Wood & Waterman, 1991 p. 804; Glicksman & Hammond, 2017, p. 488)

Methods of Bureaucratic Control

The study of bureaucratic behavior in the United States changed with the onset of the Reagan presidential administration. Most academics assumed that the decisions of appointed bureaucratic leaders were of their own free will and, without the explicit influence of the branches of government, remained relatively autonomous of their influence (Wood & Waterman, 1991, pp. 801-802). This changed when the Reagan Administration, along with Congress, appointed a vast array of new department heads that drastically shifted the performance of various government agencies, even those designed to be insulated from such influence. These shifts started the discussion of the relationship between bureaucratic actions and their political influences (Wood & Waterman, 1991, p.802). An investigation into this relationship shows that the executive, legislative, and judicial branches have the authority to influence the decisions of bureaucratic agents through an assortment of control mechanisms (Calvert, et. al. 1989, p. 589; Epstein & O'Halloran, 1994, pp. 698-699; Glicksman & Hammond, 2017, p. 488). In response to this, Epstein and O'Halloran proposed that there are two distinct types of controls exerted over

bureaucratic agencies. The first type is ex ante controls, those controls existing in the agency's design, and the second type of controls are ongoing controls, which are continuous throughout the agency's life (1994, pp. 698-699).

In the ex ante control arsenal are oversight restrictions such as required reports, meetings with congressional leaders, set standards to consider when researching and recommending regulation, departmental location, appointment procedure, and so on (Epstein & O'Hallaron, 1994, p. 698). In addition, Congress can limit the policies an agency is able to enact in the forming legislation. This may not determine any exact policy that will be chosen, but it can eliminate some policy decisions from the discussion altogether, narrowing an agency's discretionary power (Epstien & O'Hallaron, 1994, p. 701). Congress also has the option of insulating an agency from executive interference. This is done by increasing the specificity in an agency's creating legislation to remove executive branch oversight. Insulated agencies not only have a much longer lifespan than non-insulated agencies, but the legislation they create is usually more ideologically equivalent to the political beliefs of the average congressperson (Lewis, 2004, p. 379).

The mechanisms of ongoing control over bureaucratic agencies include but are not limited to: appointment and removal powers, judicial review, defunding, veto power, and direct legislative action (Calvert, et. al. 1989, p. 589; Epstein & O'Halloran, 1994, pp. 698-699; Glicksman & Hammond, 2017, p. 488). Calvert, et al. treat the appointment process as a bargaining game between the President and Congress to appoint an agent who will make desired policy outcomes (Calvert, et. al. 1989, p. 593). Once the bargaining process is complete and an individual is appointed to head an agency, they begin making policy decisions on their own. For the legislature, there are the options to defund a non-cooperative agency, intervene directly with

legislation, and use a veto (Calvert, et. al. 1989, p. 593). Additionally, threats to defund an agency can coerce it to "shade its policy choice toward the legislature's ideal point" (Calvert, et. al. 1989, p. 602). It is not very often that any of these powers must be used, but the threat of such action does keep in line any would-be deviance from the predicted performance of bureaucratic agents and agencies. Despite this, the initial appointment process remains an influential and well utilized control mechanism (Calvert, et. al.1989, p. 601-603).

Public Service Gaps

Though budgetary allocations are often considered the most prominent resource affecting a bureaucratic agency's ability to perform its tasks, these are not the only resources that can inhibit agency ability. Bureaucratic agencies, according to Hupe and Buffat (2015), operate on supply-and-demand construction, with both influencing each other. As such, the goal of any agency is to attain equilibrium between the two, but such is not possible at times for a variety of reasons. Such lack of equilibrium is referred to as a "public service gap" (p. 336). Hupe and Buffat directly define this concept as "occur[ring] when what is required of street-level bureaucrats exceeds what is provided to them for the fulfillment of their tasks" (p. 336). Concerning demand, agencies are, at times, pressured to action via statutory regulation, professional standards of practice, public opinion, and many other forces beyond an agency's individual control. In contrast, on the "supply-side," agencies have a finite amount of resources available to them for the completion of said required tasks. Such resources available to agencies include "training, education, professional experience, time, information, staff, and ... budget" (p. 337). As such, there is no one simple solution to agency resource problems. Further, Hupe and Buffat suggest that such public service gaps are present in almost all bureaucratic agencies, though not as drastic in some situations (p. 337). It is because of these public service gaps that

bureaucratic agents develop techniques to cope with over-work such as mass-processing of clients, which can create disparate treatment of clients and potential clients. Tactics like these are dangerous because they can "become agency policy," creating long-lasting change in bureaucratic performance (p. 61).

Discretion of Individuals and Agencies

There are two levels of decision making in regard to social services work, the policy-makers, and the actual practitioners. The former has the responsibility of crafting the legislation necessary to create and guide social welfare agencies, and the latter is responsible for the practical implementation of these policies. The day-to-day implementers of policy, also known as individual practitioners or "street-level bureaucrats," can be defined loosely as a public official who works directly with citizens in roles they are trained to complete (Hupe, et. al. 2015, pp. 9, 16). A complex relationship exists between a social service "client" and the autonomous practitioner. In this relationship, though the social service agency works for the client, the autonomous practitioner dictates any services provided to the client. This is not necessarily a bad thing, as recipients of social services may not well know what is in their best interest; however, this creates an interesting dynamic, as the autonomous practitioner is to decide how to implement public policy that is situation-specific (Kemeny & Popplestone, 1970, p. 9).

Most, if not all, street-level bureaucrats engage in the use of discretion. The level at which this discretion is available depends not only on the agency that employs the agent, but also the task that the agent is completing (Hupe, et. al. 2015, p. 79). Research suggests that professional discretion is a product of training, experience, or a combination of both" (Kemeny & Popplestone, 1970, p. 9). The use of one or both of these avenues forms an autonomous practitioner's ideology or understanding of professional practice. It is through training and

experience that an autonomous practitioner makes their judgments regarding policy implementation in a situationally specific manner. This, according to Kemeny and Poppelstone (1970), means that there will always be discrimination in social service work applications, as each practitioner is going to make different decisions in different circumstances. However, Buffat (2015) takes discretion a step further by suggesting that discretion is a task-dependent phenomenon, as opposed to the traditional agent-dependence model (p. 80). He argues, as agent tasks become more complex and ambiguous, agents are likely to receive discretionary authority. Further, that choice to engage in such discretionary action is often mitigated or aggravated based on factors such as case economy (ratio of complex to non-complex cases a front-line worker must process), regulatory rules and framework, and control mechanisms (punishments rendered for misuse of discretion). Thus, tasks with very specific rules and harsh punishments for non-compliance do not lend themselves to allow discretionary decision making and vice versa (Buffat, 2015, p. 92-95).

Closely related to street-level bureaucrats are their managers and supervisors, referred to as "frontline managers." Traditionally, scholars assumed that the largest changes in policy administration occurred with the street-level bureaucrat through "client-processing" or the routines and practices adopted by street-level bureaucrats to help manage the stress of their work environment (Hupe, et. al. 2015, p. 284). Such stress-reducing practices can, at times, cause street-level bureaucrats to engage in behavior that is detrimental to their clientele. However, there are counter-theories that suggest supervisors and managers in bureaucratic agencies utilize discretion just as regularly as street-level bureaucrats and that such discretionary decision making shapes the policy implementation and behavior of their subordinates (p. 290-291).

Managerial discretionary behavior is further credited with "creat[ing] context and constraints or

expanding the choices of front-line workers in policy implementation" (p. 323). Counter-theory proponents suggest examining agency discretion as layered between frontline managers and their subordinates, rather than focusing directly on discretion used in client interactions. Proponents further suggest that "actor's own evaluations and accounts of the use of discretion" be examined to form an adequate understanding of the role managerial and supervisory discretion plays in policy implementation (Hupe, et. al. 2015, p. 293). In just such a study, Hupe and Van Kooten (2015) interview head teachers at various undisclosed schools and question these teachers on their use of discretion, namely with regard to formal rule processing. Formal rules and regulations are defined as "action prescriptions stemming from legitimate authority and the possibility of imposing sanctions on non-compliance" (p. 229) and rule processing is confined to one of three general categories: formulating additional rules, passing on rules, or buffering (tempering/blocking) rules (p. 229-232). Additionally, Hupe and Van Kooten (2015) offered various determinations for how a head teacher might process rules and regulations, condensed as: Organizational, Action, Work Perceptions, and Person-bound characteristics (p. 230). Such research concluded with Organizational and Work Perceptions characteristics are the observably significant reasons for changes in rule-processing. These findings lead Hupe and Van Kooten to conclude that frontline managers are discretionary actors of their own (p. 240).

Selection of Client

Regardless of any organization's staff or the individual practitioner's discretion, neither can have any outcome on an individual client unless that client is within the requirements to receive service. This avenue for discrimination deals not with autonomous practitioners, but with policy-makers and researchers. Figurira-McDonough (1979) proposes that researchers do not always account for the population eligible to receive services when looking into the

discrimination of services provided. Figurira-McDonough offers the example of an African-American population receiving welfare checks at a higher rate than Whites or other minorities. Figurira-McDonough suggests that though this may be due to discrimination, this could likewise be due to a legitimate increase in need in the African-American community for welfare or other social work programs in that given area. This, again, would mean that discrimination is occurring, but the Department would not be directly at fault for it (Figueria-McDonough, 1979, p. 220).

NC Social Services

In North Carolina, all social services are governed by the Social Services Commission (SSC), which was created by North Carolina Statute 143B-153. The SSC is made up of thirteen different individuals, one from each congressional district who are appointed by the Governor and is the governing body of the Department of Social Services (§ 143B-153 & Members, n.d.). As such, the SSC is "authorized and empowered to adopt such rules and regulations that may be necessary and desirable for the programs administered by the Department of Health and Human Services" (§ 143B-153). This Commission creates policy and offers recommendations to implementing organizations at the county level, but does not engage in the direct implementation of said policies (Social, n.d.).

The State of North Carolina administers social services at the local instead of state level. Though it is not technically expressed in the state's laws, a grouping of general statutes shows a desire for county governments to administer social services under the direction of the state. Each county has an appointed board of governors or commissioners that, among other things, helps to regulate social services within said county. Once a board is assembled, it hires a department director and helps guide this director in the accomplishment of policy mandates, as directed by

State law and the SSC. The director heads the Department of Social Services at the county level and is responsible for the administration of the various policies implemented at the state level by the SSC, through the guidance of the social service board or a similar entity. Though the county board decides which individual to hire for the director position, applicants must meet the minimum education and experience requirements of a four-year degree and three years experience in social work (Moore, et. al. n.d.).

Summary

In review of the literature, bureaucracies are defined by Meier (1997) as "permanent, goal-oriented systems" that are designed to legislative bodies in the accomplishment of their duties (p. 197). However, legislative bodies would not create such powerful and influential entities without enabling themselves to have control over policy outcomes. To do so, legislative bodies have ex ante and ongoing control to choose from, both of which serve to ensure the cooperation of bureaucratic entities. Further, bureaucratic agencies are often subject to gaps in their ability to provide for the demands of the communities they serve. This phenomenon is referred to as "public service gaps" and can come in the form of a lack of any resource necessary for bureaucratic agencies to fulfill their duties. These gaps in service are often attributed as the cause for mass processing behaviors that frontline bureaucrats engage in to make due during times of stress.

When looking at the ground-level of bureaucracy, street-level bureaucrats and first-line bureaucratic managers can utilize discretion in their capacities as bureaucratic agents.

Street-level bureaucrats are classified as those public officials who work directly with citizens in roles they are trained to complete, while first-line managers are defined as those bureaucrats one or two rungs above street-level on an agency totem pole (Hupe, et. al., 2015, pp. 9, 16). Though

most theory on discretion use by bureaucratic agents centers on client processing mechanisms of street-level bureaucrats, Hupe and van Kooten (2015) suggest that first-line managers' use of discretionary decision making is as frequent and, potentially, influential on policy outcomes as that of their street-level subordinates. Their research into first-line managerial discretion lead them to discuss rule processing, or how they react to action prescriptions with possible punishments for noncompliance given by relevant stakeholders (Hupe, et. al., 2015). Hype and van Kooten further suggest that a review of such processing from the view of managers themselves would be beneficial to the understanding of its effects.

Theory

As established in the literature review, first-line bureaucratic managerial discretion is a potentially important factor influencing policy output and implementation in bureaucratic agencies. Hupe and van Kooten (2015) suggest that these managers and supervisors are "discretionary actors in their own right," and engage in rule processing that affects "whether and how rules and regulations reach subordinate public officials" (pp. 240-241). Furthermore, Hupe and van Kooten sorted such processing decisions into three categories: strengthening, passing on, or buffering the policies presented to them by relevant stakeholders. Their findings also indicated that first-line managers can self-assess to engage in any of the three categories. However, buffering or augmenting were the most common in their sample set of first-line managers (p. 234). In North Carolina county governments, some of the most prominent first-line managers are directors and managers of departments of social services. However, despite this group's influence, there is little discussion on the specific discretionary practices and rule processing mechanisms adopted by these local leaders. Therefore, to expand the discussion started by Hupe

and van Kooten, I seek to explore the rule processing and discretionary decision-making mechanisms that exist within departments of social services in the High Country of North Carolina. This understanding forms the basis for my hypotheses, as listed below:

H1: When presented with rules from relevant stakeholders, first-line bureaucratic managers in the High Country will process said rules by either strengthening, buffering, or passing them on as opposed to ignoring or disregarding new rules altogether.

H2: When First-line bureaucratic managers in the High Country engage in rule processing, they will be more likely to augment rules from relevant stakeholders than any other form of processing, as defined by Hupe and van Kooten.

When first-line bureaucratic managers are presented with rules from relevant stakeholders, they can process the same rules by strengthening, buffering, or passing them directly on to subordinates. However, there are restrictions on first-line managers that disallow certain discretionary decision possibilities and force discretion into narrower margins (Calvert, McCubbins, & Weingast, 1989, p. 589; Epstein & O'Halloran, 1994, pp. 698-699; Glicksman & Hammond, 2017, p. 488). This fact is not only present in the literature, but something expressed by discretionary actors at the street level (p. 87). Aurélien Buffat (2015) discusses this concept in length in "When and why discretion is weak or strong: a case for the taxing officers in a Public Unemployment Fund" (pp. 79-81). Buffat distinguishes discretion-as-granted and discretion-as-used and claims that the reason behind a discretionary agent's decision-making practices may be the nature of the rule that needs processing. Buffat suggests that policy areas with harsh penalties for noncompliance and "severe control mechanisms" lend themselves to prevent the use of discretion. In contrast, in areas of operation without such oversight and punishments, agents are more likely to use discretion and stray from established guidelines (p. 86). This understanding forms the basis for hypotheses 3 and 4:

H3: When First-line bureaucratic managers in the High Country engage in rule processing, policy areas with clear guidelines will prompt less use of discretion than policy areas with unclear or blurred guidelines.

H4: When First-line bureaucratic managers in the High Country engage in rule processing, policy areas with harsh punishments for lack of enforcement will prompt less use of discretion than policy areas with little to no potential for punishment resulting from non-compliance.

Research Design

Participants and Setting

I assess the research questions above by studying the perspective of county social services directors and supervisors in the various departments of social service programs in the High Country of North Carolina. Specifically, these counties of the High Country are Alleghany, Ashe, Avery, Mitchell, Watauga, Wilkes, and Yancey counties. To be eligible to participate in the study, a participant must be a director, acting director, or supervisor of a department of social service in one of the above-mentioned counties. The reason for the selection of the North Caroline High Country is not just because of its physical proximity to me but because these counties also share a similar purpose, function, governing bodies, and are demographically similar. All counties in the High Country, excluding Watauga, have a median household income below \$45,000.00 per year, and a population of 40,000 or less. Watauga only narrowly misses these marks, with slightly higher income and population than other counties in the region. Further, these counties are all over 90% white in their makeup (US Census). The reason for selecting directors and supervisors in departments of social services is that they are quintessential, first-line bureaucratic managers as defined by Hupe and van Kooten (2015) that exist under the same state and federal guidelines for performance and serve demographically

similar areas. These facts serve to reduce discrepancies in differing practices based on the necessity of the population served.

Procedures

To conduct this research, I used a semi-structured conversation-based data collection method, focusing on elite interviews with each High Country department of social services directors and supervisors. These interviews began with a set of uniform open-ended questions, with follow-up questions occurring as needed. Program directors and supervisors were contacted by phone or email to explain the purpose of the study and to obtain consent for their participation (see Appendix A). The interviews were scheduled in thirty to forty-five minute blocks to allow for ample discussion time and participants were given the option of conducting the interview via phone call or zoom. To ensure accuracy in responses, each interview was recorded, with the consent of the interviewee, and transcribed following the conclusion of the interview. All recordings for transcription purposes were strictly audio recordings. Upon completion of transcription, the transcript was sent to each participant so that they could make any changes or clarifications they deemed necessary. Upon receiving confirmation of the accuracy of transcription, the audio recording of the interview was deleted. Further, and to ensure honesty in responses, interviewees were randomly assigned a letter designator and their responses are discussed only by such letter designators in the findings. In total, thirty-two individuals were contacted for participation in interviews. Eleven of the thirty-two were initially contacted via email, while the remainder were initially contacted via phone or voicemail. Of the respondents first contacted via email, four did not offer a response. Of the respondents first contacted by phone, thirteen did not respond. Of the thirty-two individuals contacted, thirteen responded and participated. Only one respondent declined to participate after requesting to review the interview

questions. This person responded by email, indicating that they did not feel they would be a good candidate for my research, as they did not perceive themselves as possessing any discretion over policy implementation. Of the respondents who opted to participate, three of them chose Zoom interviews, while the remainder elected for phone interviews. All of the interviews except one took under thirty minutes to complete, with one stretching just over and ending at thirty-one minutes. There was no observable delineation in time differences for the interviews conducted via Zoom versus phone interviews. Respondents were all first-line bureaucratic managers in the High County of North Carolina and, thus, acceptable per the constraints of my research. However, the intended respondent pool was exclusively directors of departments of social services and only one respondent fell into this category. Due to difficulty in obtaining responses from the originally intended respondents, the pool of potential respondents was widened to include supervisors and managers of social services in the High Country of North Carolina.

Instrument

The instrument was self-designed and structured to achieve adequate responses in semi-structured, conversation-based, elite interviews based on a desire to elicit occupation and situation-specific conversation. This instrument follows the interview guide approach. This approach, as defined by Siejas, et. al (2018), consists of an interviewer preparing specific questions or subject topics for discussion, while allowing the interviewer to probe interesting issues as they arise (p.59). The Interview Protocol used for all interviewes is found in "Appendix B" and was crafted to ensure that interviews remained both consistent and expeditious. The questions were created to extract information and probe opinions that only the individuals selected could have access to, and are ordered in a manner to create a flow of information; from the introduction of a policy to the department or program, down to the

transition of a processed rule to subordinates (Siejas, et al., 2018, p. 60). Finally, questions were written to be as unbiased as possible, allowing respondents to answer as uninfluenced as possible. At the onset of each interview, participants were given a definition of rule processing and other relevant terms as follows: rule processing will be defined as "how [first-line bureaucratic managers] react when confronted with new rules coming from relevant stakeholders" ((Hupe, et. al., 2015, p. 227); formal rules and regulations will be defined as "action prescriptions stemming from legitimate authority and the possibility of imposing sanctions on non-compliance" (p. 229). This is to ensure that questions regarding rule processing or formal rules are not construed to have an alternate meaning than is the focus of this research. The Interview Protocol was piloted with a first-line bureaucratic manager from Mecklenburg County. All facets of the interview process were tested and the meeting was timed. The interviewee indicated that the definitions and questions listed above were concise and understandable. The pilot interviewee, further, offered responses to the questions that indicated an understanding of the concepts and delivered clear, understandable responses. Upon asking the pilot interviewee if there were any ways the structure of the interview could have been improved, the pilot interviewee did not indicate any areas of improvement.

Design and Data Analysis

The research design was qualitative, interview-based research. I described the use of rule processing by social services directors and supervisors in the High Country of North Carolina, the extent that rule processing leads to rule augmentation, whether or not the rule being processed dictates processing behaviors, and the effects of rule processing on outcomes as observed by County social services directors and supervisors. Once all interviews were completed, I randomly assigned letter designators to respondents and proceeded to combine all

interview transcripts into one document. I then conducted a thematic analysis and categorized responses based on keywords and similarities in response patterns. This was done by combing through all combined transcripts and highlighting responses applicable to research questions and hypotheses. Additional common response patterns were also highlighted. Upon completion of this initial review, applicable responses were entered into a spreadsheet and sorted by research question. Responses regarding rule processing behavior were initially characterized as formulating additional rules, passing on rules, or buffering (tempering/blocking) rules, as was done by Hupe and van Kooten (pp. 229-232). All other analysis categories were based on subject response similarities as observed.

Findings and Results

Of the respondents interviewed, all consented to an audio recording of the interview and all confirmed an understanding of the transcription, editing, and subsequent deletion of audio files. One respondent self-identified as a director, while the remainder self-identified as program managers or supervisors; of respondents indicating a supervisor position, four indicated that they work in protective or developmental services, such as Child Protective Services, Adult Protective Services, or Childhood Developmental Services. Five respondents indicated that they work in income maintenance, such as Medicaid, Food and Nutrition Assistance, or Child Support.

Respondents' longevity in their positions ranged from ten months to fifteen years, with an average time in a position of seventy-six months, or approximately six and one-half years.

Education levels ranged from an associate's degree to a master's degree, with the majority of respondents holding bachelor's degrees related to social work. Prior experience in social work

ranged from seven to thirty-four years, with an average of over nineteen years of experience.

Respondents interviewed represented five out of the seven High Country counties.

Processing Mechanisms and Their Effects

Research Question One, "How do first-line bureaucratic managers engage in rule processing," offered a variety of mechanisms for rule processing in particular departments and divisions, according to respondents. All respondents indicated that they engaged in the processing of rules from relevant stakeholders within their positions as directors or supervisors. Respondents A, B, C, G, and J indicated that meetings with department or division leadership were the primary mechanism they used to process rules. Respondents D, F, and I indicated that their primary mechanism for rule processing was engagement in training sessions. Respondents E and H indicated that their primary mechanism for rule processing was through the dissemination of the new rules to subordinate staff members and Respondent E further indicated as follows:

If the directive is sent directly to [me, I] forward all emails to staffers or choose to disseminate the information by print[ing] out the email so I can verify a physical copy has been received by each employee. If a big policy change comes up, I will create a PowerPoint presentation on the policy change and disseminate [it to staff members].

No respondent indicated that they disregarded or ignored any rule given to them by a relevant stakeholder. As such, all rules given to respondents were processed in one of the three following ways: 1) strengthening, 2) passing-on, or 3) augmentation, as suggested by Hupe and van Kooten (2015). It is important to note, however, that respondents also reported the existence of additional rule processing mechanisms. In addition to their primary mechanisms for processing policy, respondents B, C, and H mentioned the use of state-level consultants or support staff for guidance on rule discernment and implementation practices. Respondents F and J mentioned the

forwarding of rule update emails or communiques to their staff, and respondent G mentioned training sessions and workshops as additions to their primary mechanisms for rule processing.

These responses also serve to address hypothesis one (H1), "When presented with rules from relevant stakeholders, first-line bureaucratic managers in the High Country will process said rules by either strengthening, buffering, or passing them on, as opposed to ignoring or disregarding new rules." As seen above, all respondents indicated that they engaged in rule processing by either strengthening, augmenting, or passing-on rules to subordinates in any situation where they are provided with a rule from a relevant stakeholder. No respondent indicated the desire to ignore or elect not to implement rules given by relevant stakeholders. Such information leads to the conclusion that, for the respondents represented in this research, hypothesis one (H1) is supported, and that first-line managers process rules by strengthening, buffering, or passing said rules on to subordinate staff, and they do not elect to ignore or disregard new rules presented to them by relevant stakeholders.

Research question two, "To what extent does such rule processing lead to augmentation or buffering of directives," first elicited clarification from respondents on the difference between rule-based discretion and implementation-based discretion. Respondents identified rule-based discretion as the choice to implement a given rule. In contrast, respondents identified implementation-based discretion as the choice over how outcomes are achieved. Concerning discretion over the rule itself, all respondents indicated that they had little to none. Additionally, respondent C offered the following:

I do not feel that I have discretion to decide whether or not to implement policy. However, I do have a lot of discretion on how rules, regulations, and policies are implemented.... There is a certain amount of autonomy but it is always subservient to State policy.

Respondent A indicated that the state sends out some proposed rules in advance and asks for a "yes or no" on whether they approve of said rule, but such instances are rare. With regards to discretion over implementation, most respondents indicated that they had some level of discretion over how a rule is implemented in their department or division. Respondents A and B indicated that they had large discretionary authority over how rules are implemented in their department or division; Respondents C, D, and G indicated that they had moderate discretionary authority over rule implementation. Respondents E and H indicated that they had low discretionary authority over rule implementation, and Respondents F and I indicated that they had no discretionary authority over rule implementation. Respondent J represented an anomaly in these responses, as they were the only respondent to indicate that their level of discretionary authority over implementation was dependent on what relevant stakeholder was providing them the rule. With regard to rules provided by the state, federal, or county government, respondent J indicated that they had little to no discretionary authority over the implementation of rules in their department or division. However, with regard to rules given by their department director, respondent J indicated that they had moderate to large authority over the implementation of those rules. With this clarification in mind, research question two was addressed in terms of augmentation on implementation procedures. Respondent C was the only respondent to indicate the strengthening of rules within their department or division. Respondents A, B, D, and G indicated augmentation of rules within their department or division, and respondents G, F, H, and I indicated passing-on of rules within their department or division. As was previously mentioned, respondent J was the anomaly once again, indicating that they engage in passing-on of a rule if it was from the federal, state, or county government but augmentation of a rule if it was given by their director.

These responses also serve to address hypothesis two (H2): when First-line bureaucratic managers in the High Country engage in rule processing, they will be more likely to augment rules from relevant stakeholders than any other form of processing, as defined by Hupe and van Kooten. Of the respondents represented above, only respondents A, B, D, and G indicated that they primarily engaged in rule augmentation, with respondent J joining in this indication with rules given by their department director. Even with the addition of respondent J, this would only amount to five out of the ten total respondents indicating that they engaged primarily in rule augmentation. With only half of the respondents indicating augmentation as their primary method of rule processing, hypothesis two (H2) cannot be confirmed. As such, it can be said that when First-line bureaucratic managers in the High Country engage in rule processing, they are not more likely to augment rules from relevant stakeholders than any other form of processing. In fact, if respondent J is divided between augmentation and passing-on of rules, respondents are equally likely to engage in augmentation or passing-on of rules as their primary mechanism for rule processing. Of note, however, is that only one respondent indicated that their primary mechanism for rule processing was strengthening, which suggests that augmentation and passing-on are the two primary forms of rule processing engaged in by respondents and, potentially, first-line bureaucratic managers in the High Country as a whole.

Rule -Specific Processing Behavior

Research question three, "To what extent does the rule in specific dictate the manner in which it is processed," elicited responses more cohesive than the previous research questions. Seven out of the ten respondents indicated that the rule in specific to be processed did have an effect on the manner in which it was processed, though the extent of such effect varied between respondents. Respondents A, B, E, G, and J indicated that the specific rule needing to be

processed had a moderate to large effect on the manner in which it was processed. Respondents C and D indicated that the rule in specific had a low to moderate effect on the manner in which it was processed, and respondents F, H, and I indicated that the rule in specific that needed to be processed did not have any effect whatsoever on the manner in which it was processed. Of the seven respondents who indicated that the rule in specific that needed to be processed dictated the manner in which it was processed, all mentioned increased policy specifications as a reason for their change in processing mechanisms. Respondent D offered the following with regard to this:

The limits on my discretion stem, primarily from State guidelines. My team and I always try to move as quickly as possible with cases, but sometimes this cannot occur due to general statute timelines.... The goal is to always follow guidelines, no matter what.

In contrast, of the same seven respondents who indicated that the rule in specific that needed to be processed dictated the manner in which it was processed, only respondent C made reference to oversight and potential punishment from the state as a reason for the alteration of their processing mechanisms.

These results address both hypotheses three and four (H3 and H4), which are as follows: "When first-line bureaucratic managers in the High Country engage in rule processing, policy areas with clear guidelines will prompt less use of discretion than policy areas with unclear or blurred guidelines," and "When first-line bureaucratic managers in the High Country engage in rule processing, policy areas with harsh punishments for lack of enforcement will prompt less use of discretion than policy areas with little to no potential for punishment resulting from non-compliance." With seven of ten respondents indicating that the particular specification of a rule is a factor in the manner in which they process policy and one of ten respondents indicating that oversight and potential punishments are a factor in the manner in which a policy is processed, the following assumptions or conclusions are made. Apparently, when first-line

bureaucratic managers in the High Country engage in rule processing, policy areas with clear guidelines will prompt less use of discretion than policy areas with unclear or blurred guidelines. Hypothesis three (H3) is supported. However, there is no support for hypothesis four (H4); when first-line bureaucratic managers in the High Country engage in rule processing, policy areas with harsh punishments for lack of enforcement do not necessarily prompt less use of discretion than policy areas with little to no potential for punishment resulting from non-compliance.

Research question four, "What is the impact of such rule processing based on the perceptions of the first-line bureaucratic managers," led respondents to indicate that their rule processing procedures had varying levels of impact. Respondents, as mentioned above, indicated that the impact from rule processing procedure would be centered around policy implementation practices in their department or division, and classify responses as follows: large, moderate, low, or none. Respondents A and B indicated that their rule processing procedure had a large effect on implementation practices in their division or department; Respondents C, D, and G indicated that their rule processing procedure had a moderate effect on implementation practices. Respondents F and H indicated that their rule processing procedure had a low effect on implementation practices, and respondents E, I, and J indicated that their rule processing procedure had no effect on implementation practices. Further, a majority of respondents indicated that they felt that discretionary authority was or could be a benefit to the clientele their department served.

Discussion

The above-mentioned findings affirm hypotheses one, two, and three (H1, H2, and H3) but reject hypothesis four (H4). There are, additionally, several other observable response

patterns that are worthy of discussion. The first of these is regarding hypotheses three and four (H3 and H4), as the results may be initially misleading. Seven respondents indicated that the manner in which a rule was processed depended upon the specificity of the rule itself, while only one of the same number indicated that potential punishments for non-compliance were a reason for changing the manner in which a rule is processed. On its face, this information supports hypothesis three (H3) but fails to do so for hypothesis four (H4).. However, the rules given to supervisors in the Income Maintenance program appear stricter, generally, than those given to supervisors in the Protective Services program. This supposition was offered by respondent A, who expressly indicated that they believed supervisors in Protective Services had more opportunity to utilize discretion in implementation than those working in Income Maintenance. This supposition was reinforced by four of the five supervisors working in Income Maintenance, indicating that they have little to no discretion over implementation practices and that their primary mechanism for processing is passing-on policy directly to subordinate staff. In contrast, of those supervisors working in Protective Services, three of four indicated that they had large or moderate discretion over implementation practices and that their primary mechanism for processing policy was augmentation. This information alludes to a reality where individuals working in Protective Services have or perceive to have greater levels of discretionary authority than their counterparts working in Income Maintenance. This could explain why two out of five Income Maintenance supervisors indicated that they did not believe that a rule in specific would dictate the manner in which it was processed. And, it could explain why four of five Income Maintenance supervisors do not believe that their rule processing mechanisms have any effect on policy outcome. As such, it is possible that supervisors working in Income Maintenance do not believe that specific rules require different processing mechanisms because the rules they are

given are inherently very strict and do not allow for much if any discretion on implementation.

This opens the door to the possibility that both the rule in specific and the area of policy it is based on have an effect on the manner in which it is processed. However, the limited number of respondents and additional variables not addressed herein limit the generalizability of this research.

In addition to rule specificity, there were other common considerations for implementation strategy that respondents shared, including that respondents value the input of their subordinates. Respondents A, B, C, D, G, H, and J indicated that they valued the input offered by their subordinates and that it helped to dictate their discretionary decision-making process. Respondent A went as far as to say the following:

[This] department holds that conversation between [staff members and superiors] regarding how to implement directives is very important and that procedural outcomes are dependent on these discussions. If a disagreement arises on the implementation strategy between director and supervisors, the strategy suggested by the supervisors is usually attempted first on a trial basis.

Respondents further mentioned the importance of ensuring that their subordinates felt like their opinions were heard and that they had a stake in the planning process, as this helped to ensure compliance and timely rule implementation. Many respondents further reported having an "open-door policy" for their staff's questions and concerns to ensure that they could meet the needs of their subordinates. Likewise, as a factor in their implementation decision, respondents indicated that the size of their divisions or departments played a large role in why they chose to implement certain rules in certain ways. According to respondent B, departments in larger areas of the state have entire teams to accomplish rule objectives that their department must assign to one staff member. As such, the implementation guidelines the state provides will not be adequate

to allow for proper implementation and their division must make changes or the rule will not be implemented to satisfaction.

Regardless of rule specifications, potential punishments for noncompliance, policy area of operation, subordinate feedback, or county size, a first-line supervisor's own perceptions can also play a role in the manner in which policy is implemented in a department or division. Such is exemplified in the different approaches taken by respondents B and C. Respondents B and C are both supervisors working in Protective Services in the High Country. They operate under the same federal and state guidelines, with the same policy objectives as one another, in counties that are similar demographically. Regardless of this, respondents B and C differ greatly in the manner in which they process policy, and the reasons they attribute to their processing decisions. Respondent B, indicated the following: a) their primary mechanism for rule processing was through meetings with their department director and other supervisors, with an emphasis on hearing opinions from subordinate staffers; b) they have large discretion over policy implementation and usually engage in rule augmentation; c) they believe the manner in which they process a rule has a large impact on its implementation; and d) they believe that policy should be "wrapped around the family, not the other way around," meaning that policy should be bent to meet the needs of a family as much as possible. In contrast, Respondent C indicated as follows: a) their primary mechanisms for rule processing is state-conducted training for staff and the creation of checklists that work in tandem with state guidelines for staff to follow; b) they have moderate discretion over the implementation of policy and usually strengthen rules given from relevant stakeholders; c) they believe the manner in which they process a rule has a moderate impact on its implementation; d) they were the only protective services respondent to indicate oversight and potential punishments as reasons for rule processing decision making; and

e) they spoke about state oversight to ensure compliance with guidelines in a very positive way. There are several potential reasons why such distinct variations in professional practice could occur, from director-introduced rule strengthening to increased or lack of trust in their subordinate staff. However, such differences could exist due to perception differences between respondents B and C. These perception differences could consist of anything from policy discernment to, as mentioned by Hupe and van Kooten (2015), completely different perceptions of their primary function as supervisors in Protective Services.

The above-mentioned respondents offered a description of their rule processing practices that shed light on the numerous variables that can go into a first-line bureaucratic manager's discretionary decision-making process. Some of these variables have been previously discussed by Hupe and van Kooten (2015) and others have not been brought up in the formal discussion of managerial discretionary decision making. All respondents indicated that they process rules given from relevant stakeholders and that their mechanisms for processing fall into one of Hupe and van Kooten's three categories, but several indicated that the category would change based on the many factors discussed herein. As such, I would suggest that first-line managers' use of discretion in rule processing be perceived as an equation that's outcome is dependent on the numerous variables it receives and is subject to change as its variables change.

Conclusion

This research provides insight into how first-line bureaucratic managers engage in rule processing and the reasons that they attribute to their processing decisions. Respondents offered a variety of mechanisms for the processing of rules, such as team and leadership meetings, state-lead training, or information dissemination. All responses fell into one of Hupe and van

Kooten's (2015) three categories: 1) strengthening, 2) augmenting, or 3) passing-on. However, respondents indicated that they were equally likely to augment or pass-on rules to subordinate staff members and that strengthening of rules rarely occurred. Further, Respondents indicated that the specific rule in need of processing weighed heavily in the decision of how it was processed. This is due, in part, to the differing levels of specificity attached to each rule. The idea of the rule, in specific, affecting its processing procedure stems from Buffat's (2015) research into the effects of rules on the processing mechanisms of street-level bureaucrats. My research shows that such consideration should also be made at the first-line managerial level. Respondents self-reported that the size of their department or division, the opinions of their subordinate staff, and the area of policy they work in played a part in the manner a policy is processed and implemented. Though the sample size for this research was not adequate to draw sweeping conclusions over first-line managerial discretion use in bureaucratic agencies, it did produce insight into new considerations for how discretionary decisions are made, such as department size, rule specification, and subordinate input. In addition, this research showed that in nearly identical positions, some first-line managers will behave in contradictory ways.

The results of this research are applicable to Department of Social Services agencies in North Carolina. All are bound to similar standards of attainment of policy and are structured in similar ways. As such, rules are received and processed in ways similar to those described by respondents in this research. Further, all departments would likely show observable differences in processing mechanisms used by Protective Services and Income Maintenance programs due to their distinct policy specifications. The findings of this research are also more far-reaching. Reasons indicated by respondents as important considerations in their rule processing decisions landed in one of the following categories: 1) rule specificity, 2) available resources, and 3)

subordinate staff opinion. Results indicated that rule specificity and resource availability were of paramount importance. These categories of consideration are generalizable to any first-line managerial decision-making process where the primary object of discretion is implementation. The addition of an effect-on-client category would occur if rule specificity increased to a level that denied practitioners the ability to assist clients in appropriate ways. This could come through a realignment of the majority party in government or electorate public opinion. However, insulation provided by the North Carolina Department of Health and Human Services and federal mandate negates the likelihood of changes in party politics having substantial effect on the manner in which social services are provided at the local level.

Outside of rule specification and resource availability, processing decisions are based largely on what the processor views as important in their decision-making framework. For some supervisors, input from subordinates was more influential than any other factor, while others disagreed. What is important, however, is that each participant, no matter how similar, offered a unique response. Due to this, I suggest that rule processing decisions be looked at from the perspective of a personalized equation, where variable categories remain similar but the weight each category holds is dependent on the individual decision-maker. Such an understanding of rule processing is not bound to social services work at the local government level. These findings on individual discretion are likely applicable to all instances of first-line managerial rule processing for local government agencies in NC and across other states in the US. Anywhere a first-line bureaucratic manager is present, rule processing of some kind likely occurs. And, where there is rule processing, there is discretion available for use. Use of this available discretion is influenced by a number of factors, with factors holding different importance to each individual. Future research into this topic should focus on discretionary decision-making as a personalized

equation that each manager must solve before a rule is processed, with the understanding that the variables to this equation could be different for each manager. Future research could explore the variables that influence this discretionary decision making, such as work culture, leadership style, and personal, political, and religious belief. This research should focus on obtaining a greater sample set of respondents for analysis and, depending on the intended focus of the research, look to integrate respondents from other policy areas to assess the generalizability of this discretionary decision-making framework to agencies outside of social services. Research should not deviate from the semi-structured conversation-based format due to the emphasis placed on the individuality of responses, which can be lost in survey-based research.

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Appendix A: Email to Participants

Email Requesting Research Participation:

Dear X,

I hope this email finds you well. My name is Carson Jennings and I am a senior political science major at Appalachian State University. I am reaching out to you to see if you would be willing to participate in the research I am conducting regarding services provided by social services agencies in the High Country. Such research would be conducted in the form of a 30 - 45 minute interview, which can occur via zoom, phone call, or in-person depending on your personal comfort and schedule. If you are willing to participate, please let me know and we can work to find a time in the coming two weeks that is most convenient for you.

Should you have any questions or concerns, please do not hesitate to contact me.

Thank you for your time and I look forward to hearing from you soon.

Best,

Appendix B: Interview Protocol

Instructions:

Before beginning the voice recording, offer to the participant an explanation of the voice recording and procedure for the disposal of the same. Indicate that the voice recording is for transcription, that they will be offered the opportunity to edit the transcription, and that the recording will be deleted upon their approval of the transcription. After initial verbal consent for recording is offered, proceed as follows:

"Greetings and thank you for your willingness to participate in this interview with me. This interview will use some words and phrases that you may not be familiar with, so please allow me to go over some definitions with you. First, rule processing should be construed to mean "how [first-line bureaucratic managers] react when confronted with new rules coming from relevant stakeholders" and formal rules and regulations should be construed as "action prescriptions stemming from legitimate authority and the possibility of imposing sanctions on non-compliance." Do these definitions make sense (if a no response is rendered, offer further explanation)? Perfect. If you do not have any further questions, we will begin."

Questions:

- 1. Do I have your consent to conduct and voice record this interview, and use your responses in an academic paper where you will remain confidential?
- 2. What is your position and how long have you held said position?
- 3. What is your educational background and what prior experience do you have within or outside of social work?
- 4. What is the process by which you receive directives and from where do said directives come from, generally speaking?

- 5. Upon receipt of directives, how are they processed (i.e. how does a policy turn into procedure in your Department)? What mechanisms exist in the Department to help with policy processing, both formal and informal?
 - a. How do you think the manner in which you process a policy affects its overall implementation?
- 6. How much discretion do you have over the implementation of policy, does this discretion have limitations and, if so, where does it stem from?
 - a. How often do you engage in discretionary decision making such as this?
 - b. Do you think that utilization of discretion has a drastic impact on the policy implemented by the practitioners in the department?
- 7. Do you think that deviating from administrative guidelines, even to very small degrees, can be beneficial to the clientele you serve and, if so, why? What are the drawbacks?

Closing:

"Thank you, again, for your willingness to participate in this interview. I will be transcribing this recording as soon as possible and will send the same to you for your review and approval. Please feel free to edit or make clarifications to that document as you see fit; all I ask is that you please indicate where edits were made so that I may review them as well. Do you have any questions before we conclude?"

^{*}Questions should be followed-up or clarified as necessary.

Once all questions have been answered, end recording and interview.