

12-2013

# "There Were High Hopes and High Projections:" Examining the Social Construction of Target Populations in the Policy Design of the Arkansas Lottery Legislation

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“There Were High Hopes and High Projections:” Examining the Social Construction of Target Populations in the Policy Design of the Arkansas Lottery Legislation

“There Were High Hopes and High Projections:” Examining the Social Construction of Target Populations in the Policy Design of the Arkansas Lottery Legislation

A dissertation submitted in partial fulfillment  
of the requirements for the degree of  
Doctor of Philosophy in Public Policy

by

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## ABSTRACT

Lottery policies have been created by many states to generate additional funds to support public initiatives, such as higher education scholarships. In 2009, Arkansas adopted a lottery to generate higher education scholarships. The purpose of this qualitative case study was to examine the Arkansas state lottery policy design process to better understand how the social construction of higher education students and other citizens became embedded within the policy. The social construction of target populations theory (Ingram & Schneider, 1993), guided three research questions regarding how policy actors in Arkansas socially constructed citizens while designing lottery legislation, how these social constructions became embedded within the policy, and how the social constructions became communicated to the public. Through 18 participant interviews, document analysis, and journaling, this study examined how policy actors socially constructed target populations while forming lottery policy. The findings were presented as a descriptive analysis, which outlined the development of the lottery policy, and an interpretive analysis, which was guided by the three research questions. In the current study, I found that policy actors socially constructed three targeted populations when designing the lottery scholarship act: (a) students as beneficiaries, (b) lottery players supplying the extra revenue, identified as mostly composed of low-income citizens, and (c) retailers and vendors as beneficiaries. Policy actors embedded these constructions into the policy design through several ways: (a) the initiated act developed constructions of students, (b) the modification of the Academic Challenge scholarship, (c) competing goals for this policy were created since access did not necessarily guarantee degree completion, and (d) the retail and vendor community received favorable benefits in the form of commission and state contracts. These constructions were communicated to the public by the messages created in the Hope

for Arkansas lottery campaign and the development of the policy, which was conveyed through the media and the Arkansas Department of Higher Education. The study concludes with recommendations for future research and implications for policy and practice, which focus on sustainability of scholarship award amounts, programs for the poor, and strategies to accomplish degree completion and access goals within the policy.

## ACKNOWLEDGEMENTS

I always wanted to pursue my doctoral degree; however, I continued to come up with excuses. For one, I was afraid that I would find out I was not very good at conducting research. This all changed when I accepted a job at Northeastern State University. My colleagues encouraged and advised me to complete my doctorate. I am so glad I took this advice because the Public Policy program has been a great fit for me. I owe Amy Aldridge Sanford a big thank you for this encouragement and for supporting me all along the way.

My beautiful wife, Ranee, has probably been the most neglected through this whole process due to my time dedicated to course work and research. It means so much that you supported me through this process. I believe education is an open door for opportunity and you have allowed me to have the key to that door. Additionally, my family has been instrumental in providing support during my efforts. My parents have always supported my educational endeavors. As a child of a factory worker and a florist, you always pushed me to continue my education to have what you did not. I know at times it seemed like I would be a professional student, but the college hours have paid off in my degrees. My brother Jack has pursued his education and I am so glad that we were able to do this at the same time to share in similar experiences. To my in-laws, you have been such a great support to watch Lennox while I had to go take a seminar or two. I am forever grateful for your help.

I am forever indebted to my dissertation advisor, Dr. Ketevan “Kate” Mamiseishvili, who provided structure, guidance, and advice throughout the process. Not only did I benefit from the guidance, I also learned how to become a mentor to students by observing her process. Dr. Brink Kerr and Dr. Michael Miller have been great supporters through this process and have always provided an open door to discuss anything pertaining to my studies.

My academic department at Northeastern State University provided me the support and flexibility in order to pursue this degree. Thanks to Dr. David Scott, Dr. Bill Wallace, Dr. Sydney Yeuh, Dr. Mike Chancellor, Dr. Dana Eversole, Cassie Friese, and Dana Boren Boer for all that you have done to accommodate me during this time. From intellectual conversations about my dissertation project to swapping classes to accommodate my schedule, it has meant a great deal to me.

I have been blessed to have so many friends that have showed care and support throughout this process. Thank you for all that you do, from late night discussions to helping me relax and unwind from my research project. I learned from you all that everything has a season and a new challenge and opportunity is always around the corner if we are just patient. So this dissertation could not have been completed without the support of Bill Day, my prayer warrior friends Dana Dinsmore Davis and Shirley Harrod, Dr. Trevor Francis, Dr. Edna Saffy, Dr. Margaret Clark, and of course, my fellow public policy classmates. Thanks to all of you for always reminding me that I could mark this off my bucket list.

## **DEDICATION**

This dissertation is dedicated to my family. First, I have to focus on my best friend and companion Ranee. I'm so lucky to get the opportunity to come home to you everyday. These past three and a half years have been stressful with my studies, but you have supported me the entire way. There have been so many nights that you provided me the means to conduct my research, study for classes, or stay over in Fayetteville. You did all of this while we raised Lennox. I promise I will always support your endeavors as much as you have supported mine. Thanks for all you do.

Finally, I have a dedication to my daughter Lennox. Thank you for being my favorite little supporter. At the end of a stressful day, it was always nice to come home to you and be reminded that life is good. I love you both and I can't wait to see where we go from here.



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## CHAPTER I

### INTRODUCTION

Arkansas Lieutenant Governor, Bill Halter (D-Arkansas), developed the Hope for Arkansas campaign in 2008 to promote a state lottery to fund higher education scholarships. Halter (D-Arkansas) even appeared as the spokesperson for the Hope for Arkansas lottery campaign in a 2008 commercial. In this commercial, Halter (D-Arkansas) introduced the audience to his “old” football coach who stated that Arkansans should support the lottery because neighboring states were benefiting from those driving across the border to buy lottery tickets.

As the commercial continued, Halter (D-Arkansas) promised Arkansans that a lottery would supply 100 million dollars for scholarship money for any resident attending a two-year or four-year college or university within the state. As the commercial ended, the camera angle widened depicting the Lt. Governor and the coach on a football field during practice. The coach proceeded to tell the Lt. Governor, “Tailbacks your size don’t get college scholarships” (Hope for Arkansas Campaign, 2008). The Lt. Governor’s commercial was designed to promise hope for students not able to qualify for the limited amount of college scholarships, such as one based on athletic talent. Therefore, supporting the lottery initiative was a way to support new scholarship opportunity for students in Arkansas. The message was clear; the lottery provided a funding mechanism for average Arkansas citizens to attend college.

This commercial from the Hope for Arkansas lottery campaign focused primarily on the premise that the lottery provided revenue to help achieve public goals, such as funding education for all citizens. This story illustrates the popularity of lottery policies, which generate extra funds for states without having to raise taxes on the citizenry. In the past few decades, lottery policies

have continued to diffuse across the nation to produce additional funding for various public goals (North American Association of State and Provincial Lotteries, 2012).

While many states have adopted lottery scholarship policies, the overall state of empirical research points to the regressive nature of lottery policies (Bowden & Elrod, 2004; Heller & Marin, 2004, Ness & Tucker, 2008). Lottery policies are designed to target a population that will receive benefits; however, the reality is that such policies come at the price of others who are targeted to receive the burdens of providing the extra revenue to fund a specific public goal. Therefore, this study focused on the context of lottery policy design. More specifically, this study examined how the policy design process of lottery legislation focused on specific groups within the citizenry.

### **Context of the Problem**

Many policy makers support lottery policies because they provide a funding stream that imposes a voluntary tax on the citizenry, rather than a permanent tax on residents throughout the entire state. Those who participate are provided an outlet to play the game, while at the same time generating the revenue needed to attain public policy goals. This revenue is then used to fund various projects. According to the North American Association of State and Provincial Lotteries (2012), 43 states and the District of Columbia have implemented a lottery. The revenue generated from the lottery for 26 of these states provide funds for educational initiatives, which include pre-kindergarten programs, educational infrastructure, and higher education lottery scholarships (North American Association of State and Provincial Lotteries, 2012).

For many states, lottery policies are designed as a means to enhance public goals related to higher education. Specifically, lotteries provide revenue to fund scholarships to students attending institutions within the specific state. Policy makers have championed lottery

scholarship policies for a variety of reasons, but most notably because lottery scholarships create access to higher education (Duffourc, 2006). Much of the focus of the research on state lottery scholarships pertains to providing equal access to higher education. These studies provide insight into who actually is awarded the scholarship, the players of the lottery, and scholarship eligibility requirements (Duffourc, 2006; Heller & Marin, 2004; Ness & Tucker, 2004). While scholarships have been promoted because they increase access to higher education, studies indicate that merit aid lottery policies are regressive, with low-income citizens funding scholarships for middle and upper income students (e.g. Bowden & Elrod, 2004; Cornwell & Mustard, 2007; Duffourc, 2006; Heller & Marin, 2002; 2004; Ness & Tucker, 2008).

While the existing research points to regressive policies, states are still adopting lottery legislation that provides scholarships to students. Most recently, Arkansas adopted a lottery policy in 2009, which earmarked lottery revenue for higher education scholarships. While research studies are plentiful, little attention has been paid to the policy formation of lottery scholarships and how specific groups of citizens are targeted through the process. More specifically, there is a gap in the research regarding how scholarship recipients, such as higher education students, and lottery players, composed primarily of the poor, are socially constructed in the policy design process.

Policy makers shape the policy that is implemented, benefiting some groups while burdening others. Thus, understanding the policy design process allows for an examination of how the policy impacts the citizenry. Additionally, understanding the process of policy design in lottery legislation matters because these designs continue to diffuse to other states. Lottery legislation becomes a problem-solving technique emulated by other states through policy diffusion (Berry & Berry, 1990). This study deepens the conceptual understanding of the policy

process for states considering the adoption of lottery scholarship policies. Fundamentally, this study provides information concerning the impact of social constructions on the policy design process of lottery legislation.

### **Purpose of the Study**

The purpose of this qualitative case study was to examine the Arkansas state lottery policy design process. This study examined how policy actors in Arkansas socially constructed citizens while designing lottery legislation. Additionally, this study explored how the social constructions created in this process became embedded within the policy and framed for the public.

Many researchers have examined various policy aspects of state lotteries; however, studies have not examined the policy design process, or more specifically how state legislators have labeled citizens in regards to higher education lottery policies. Ingram and Schneider (1993) developed the theory of social construction of target populations to provide explanation into agenda setting, legislative behavior, and policy formulation and design by stating that policies target specific populations, or groups of people, to either benefit from policy or be burdened by policy. Sidney (2005) noted that problem definition, target groups, and policy design must be linked in order for legislators to develop a rationale for the promotion of a policy. Lottery studies have yet to examine the links. More specifically, researchers have not examined how legislators discussed students and lottery players in relation to a specific public problem in the policy design process.

The theory of social construction of target populations also provides a model to examine the positive and negative social constructions used by policymakers to distribute benefits and burdens reflective of such constructions (Ingram, Schneider, & deLeon, 1995). Policy designs

shape the experience for the target population and send an implicit message about the level of importance the problem is to the government and whether participation is to be effective. Wealth and resources can lead to power for a target population. This power allows the target population to typically receive benefits with public policy. Populations that have less power in regards to resources and wealth receive a larger share of burdens or sanctions. Likewise, the positive and negative image of a target population can affect the type of policy created for the group, with populations that are socially constructed with positive images receiving more benefits while those populations that are socially constructed with negative images tend to receive more burdens (Ingram & Schneider, 1993). These social constructions often become embedded not only into the political discourse and elements of policy design, but they also become woven into society.

### **Research Questions**

In an effort to understand the Arkansas lottery policy design, this study explored the following research questions:

1. How did policy actors from Arkansas socially construct citizens when designing the lottery scholarship policy?
2. How did the social construction of target populations become embedded in the policy design process?
3. How did the social construction of target populations become communicated to the public?

### **Definitions**

There are several terms that are discussed in this research project that may yield different meanings to different readers. Therefore, definitions are supplied below to provide an

understanding of how the terms will be utilized and operationalized within this study. These terms are as follows:

- *Initiative Process*: A process that allows citizens to circumvent the state legislature by placing a proposed statute or constitutional amendment on the ballot by filing the proposed petition with a state official, preparing a ballot title and summary, and collecting and submitting enough valid signatures from registered voters (National Conference of State Legislatures, 2013).
- *Lotteries*: The North American Association of State and Provincial Lotteries (2012) stated that a lottery is a game of chance that provides a prize. This voluntary game of chance is administered by a governmental agency and provides an equal chance to win for participating players.
- *Lottery Beneficiaries*: A group of people that are designated to receive profits generated by a lottery (North American Association of State and Provincial Lotteries, 2012). While states vary on lottery beneficiaries, a trend that has emerged targets higher education students as lottery beneficiaries. These students receive financial aid in the form of lottery scholarships.
- *Lottery Scholarships*: Heller (2004) noted that lottery scholarships are derived from lottery revenues that provide scholarship access to institutions of higher education within a student's home state.
- *Policy Design Process*: The state legislature engages in a policy design process, which are the steps to adopting and implementing a policy. Ingram and Schneider (1993) defined the policy design process as, "the elements found in the content of policy that affects target populations and other citizens" (p. 71). Additionally, policy design reflects the various decisions of many different people (Ingram & Schneider, 1993).



- *Public Good:* Johnstone (2005) noted that higher education is a public good because it provides economic growth, serves society, adds to the cultural impact of a community, and educates “the best and brightest students and scholars” (p. 387).
- *Social Construction:* Schneider and Ingram (2008) noted that social construction develops by the use of symbols, interpretation, and discourse in society. Target populations, or groups of people, are shaped by social constructions.
- *State Legislature:* A state legislature is a governing body that is provided the task of making laws and forming policy within a state political system (Anderson, 1994).
- *Target Populations:* The target population is a group of people that receive benefits and burdens from policy. Ingram and Schneider (1993) defined target populations that benefit as a group embodied within a policy that have social relevance and political power, which includes large size, mobilization, or resources. Likewise, target populations that receive burdens are seen as having less political power, resources, and social relevance (Ingram & Schneider, 1993).

### **Delimitations and Limitations of the Study**

There was a self-imposed delimitation in order to focus the scope of this study. The delimitation in this study regarded the case study of Arkansas. I limited the case to Arkansas because it was the most recent state to adopt lottery legislation. This choice, however, restricted the case to the passage of the Arkansas lottery in 2009 and ignored any past attempts at a state lottery, the passage of lotteries from other states, or states that have attempted implementing a lottery policy. This choice was necessary to get an accurate snapshot of this particular policy design and to narrow the focus of the research.

There were several limitations of this research project. First, the study was limited in terms of its transferability to other states and contexts. While many states have adopted merit aid lottery policies, this study did not seek to generalize that the Arkansas experience was similar to that of other states. However, the case study approach can be useful to future states considering adopting merit aid lottery scholarship policies. Merriam (1998a) noted that the case study approach has been useful for informing policy. Thus, the examination of the Arkansas policy design process with the use of the social construction of target populations can be useful to inform policymakers from other states considering the adoption of a future lottery policy.

The second limitation regards time and information recall. This became a limitation because the lottery policy design process in Arkansas happened in 2009. Four years passed since this legislation was implemented and five years since legislative members had originally discussed this piece of legislation. Information recall was limited based on how well the participants could remember the policy design process. A few participants were unable to answer a question from the protocol because they simply could not recall that information.

Moreover, the interview process could have been influenced by the status and sensitivity of the governmental profession of the legislative participants. Legislative participants that were no longer in office were mostly sought as participants because I felt they might be more candid about the lottery policy design experience since there was less risk involved with the study. Although I insured that I would minimize the risks by using pseudonyms to refer to participants, just the sensitive nature of being in the state legislature may have influenced how much information a participant shared based on his or her status in office.

Finally, the purpose of this study was to establish how state legislators socially constructed citizens in the lottery policy design process, as well as to contribute to existing

research regarding the public policy aspect of lotteries. Fundamentally, this study assumes that social constructions were used in the Arkansas lottery policy design. Additionally, this study provided analysis for how these social constructions are reflected in the policy output.

### **Significance of the Study**

To my knowledge, none of the lottery scholarship legislation studies examine the policy design process. Insight into this process allows for a better understanding of the social constructions used in order to justify and provide benefits and burdens to target populations. Thus, this study contributes to a theory of social construction of target populations by examining how one state's legislative body socially constructed students and citizens in the design of lottery scholarship policies. This study adds to the descriptive and conceptual understanding of the policy process through which lottery scholarship policies emerge.

While the theory developed by Schneider and Ingram (1993) has been applied to a variety of policies (see Benson-Smith, 2005; Camou, 2005; Hunter & Nixon, 1999; Jensen, 2005), there has not been any application of this theory to policies regarding higher education. Additionally, the research on lottery scholarship legislation also neglects policy design and formation. More specifically, studies have not examined the labels used by legislators in the policy design process of lottery legislation when tied to higher education scholarships. By examining how state legislators socially construct citizens when designing lottery scholarship policy, a clearer picture is created to explain the passage of such policies, which have been criticized for their regressive nature.

Therefore, this study may yield important implications for policy. For policy analysis, this study examined the link between problem definition, target groups, and the policy design process. These links provided policy actors a way to develop a rationale for the promotion of a

lottery policy. Understanding these links provided a full description that explains the lottery policy design process in Arkansas, which may prove beneficial to inform future policy. More specifically, this information will be useful to inform states considering the adoption of lottery policy. This study provides information about how the social constructions of target populations became embedded in the policy process. This study provides states considering the adoption of a lottery policy with information relating to the social construction of citizens in the policy design process that will inform the policy decision-making process. Understanding the social constructions of target populations helps link the policy design process with the effects that have been noted by many researchers (see Heller & Marrin, 2002; 2004; McCrary & Condrey, 2003). Thus, an examination of the policy design process for the Arkansas lottery scholarship legislation provided depth in understanding how language, labels, and the symbolic nature of education were instrumental in the social construction and policy design at the state level.

### **Summary**

This chapter discussed the research problem, the purpose of the study, relevant research questions, definitions, delimitations and limitations of the study, and its significance. As states continue to adopt lottery scholarship policies, this study fills a gap in the literature regarding the policy design process of a lottery adopting state. The next chapter provides an overview of the literature relating to the theoretical framework and lotteries and higher education. This is followed by the methodology chapter, which describes the qualitative case study design, sample and participants, data collection, and data analysis process. The fourth chapter provides the findings of the study. The final chapter of this research study reveals the discussion of the findings.

## Chapter II

### LITERATURE REVIEW

Lottery scholarship policies have been emulated throughout the United States, with 10 states dedicating all or portions of the revenue generated from lotteries for higher education scholarships (North American Association of State and Provincial Lotteries, 2012). While lotteries help fund public goals, they are typically adopted with much controversy, either on issues of morality or their impact on society. Even with the controversial nature of the lottery, states continue to adopt lottery policies with innovative policy designs targeting specific citizens to benefit from the revenues generated at the expense of those who decide to play.

This chapter is dedicated to the literature regarding the social construction of target populations theory and state lotteries. This literature review was conducted over a four-month period. It began with a general database search in the Academic Search Premiere (also known as EBSCO Host) for peer reviewed lottery articles. Additionally, other databases were used to expand the search for sources. These databases included the educational database ERIC, the general database ProQuest, and NewsBank. Then I reviewed the reference list of the articles found in the database search that led to other resources, which included additional articles and books. Additionally, I conducted an Internet search using the terms lottery and policy, which led to the research report for the Civil Rights Project at Harvard University focused specifically on merit aid scholarship programs. Moreover, Internet searches also led to the higher education departments of the 10 states with lottery scholarship policies. These websites provided annual reports on each state's lottery scholarship.

This chapter includes three sections. The first section begins by analyzing the social construction of target populations theory, which provides a relevant overview of the theory along

with synthesizing key studies. The second section examines the research regarding state lotteries, including the effects of merit aid and the public policy analysis of lotteries. The third section provides a profile of the various state level characteristics for the 10 states that direct lottery revenue to higher education scholarships. The third section concludes with a profile of the Arkansas lottery policy, including the history leading up to the lottery and specific details of the scholarship. This chapter ends with a brief summary of the chapter concepts.

### **Theoretical Grounding: Social Construction of Target Populations**

Ingram and Schneider (1993) developed the theory of social construction of target populations to provide a deeper understanding of the political process of policy design. Schneider and Ingram (1993) argued that the policy agenda and policy design process are influenced to provide policy benefits for those targeted populations, or groups of people, that are socially constructed as positive, while inflicting burdens or sanctions on groups that are negatively socially constructed. For instance, groups that are positively constructed, such as veterans, are more likely to receive benefits from public policies rather than burdens. On the other hand, drunk driving policy is more likely to target this population with sanctions and burdens from public policy rather than focus on benefits. This theory accounts for why some target populations are advantaged and receive more benefits, while other target populations receive more burdens. Policy design is important within this theory because the implications of it can reinforce positive or negative social constructions or have the ability to alter the construction.

Schneider and Ingram (1993) noted that language, metaphors, and stories are utilized to create positive and negative images of target populations in the policy design process. These images and stereotypes become the realities of the world in the eyes of decision makers (Ingram

et al., 1995). Public officials and decision makers are pressured, either by societal standards or upcoming re-election campaigns, to use social constructions, which tend to create policies that give more power to those that are positively constructed and punish or neglect those deriving from negative constructions (Schneider & Ingram, 1993). This theory provides a depiction of the political process, which includes not only the social construction of the people affected by the policy, but also the issues and events that surround them. Therefore, this political process depicts the political and cultural importance of a group of people.

Hunter and Nixon (1999) contend that this theory allows an element of prediction, meaning that policies are designed to benefit positive constructions and inflict sanctions to groups that are negatively constructed. Schneider and Ingram (2008) stated that the characteristics associated with policy differ depending on the type of group that is being targeted within policy. Moreover, Schneider and Ingram (1993) noted that this theory explains why there are some groups that become advantaged more than others, and how such constructions are reinforced through policy designs.

One important aspect of this theory is the policy design process. Ingram and Schneider (1993) noted that policy design refers to the substance of a policy that affects the orientation and actions of the targeted group through the allocation of benefits and burdens. Social constructions take place through a variety of elements incorporated in policy designs, which include goals to achieve, problems to address, rules for inclusion or exclusion, logical rationale to justify the policy, implementation strategy, and tools or mechanisms needed to change behavior, such as a penalty for a drug charge (Schneider & Ingram, 2008). Public policy becomes a catalyst for shaping the view for a targeted group, allowing decision makers to create perceptions that are shaped by their outlook of the way government and society views them. Policy designs send a

message to a targeted group that states the importance of whether or not a particular problem needs the government's attention and whether participation is going to be effective (Ingram et al., 1995).

Schneider and Ingram (2005) asserted that the social constructions within policy design are embedded in our institutional culture and this makes change difficult. Ingram et al. (1995) asserted that institutions and the broader culture are shaped by policy designs, allowing the creation of a dominant construction. Because of new rules and new organizations, instrumental effects are shaped by policy designs. Likewise, interpretive effects are also crafted by policy designs because of the use of rhetoric and symbols. At times, the dominant construction may be challenged by a competing view and change is created through the policy design process; however, the prevailing culture, power relationships, and social constructions are more than likely perpetuated (Ingram et al., 1995). There are many policies adopted; however, if change occurs, it is typically incremental. Ingram and Schneider (1993) noted that policies change and new ones are created, which can help aid dynamic shifts in constructions. Ingram and Schneider (1993) stated that democracy suffers, however, when stereotypes are perpetuated at both levels of privilege and of deviance because creativity in policy design is stifled.

The target population is another vital aspect of this theory that works in an interactive way with policy design. Schneider and Ingram (2008) defined target populations as "the groups actually identified in public policy as recipients of benefits or burdens, or otherwise incorporated into the policy design" (p. 193). The policy-making process allows decision makers the ability to create images to justify the allocations of burdens and benefits to a target population. For a decision maker, these images can help widen their constituency base. Thus, the social



construction within the policy design process creates a system where some target populations are treated better than others.

Stein (2004) noted that more time is paid to the characteristics of individuals rather than societal structures that contribute to unequal and inequitable life circumstances. In order to push for policies, decision makers often rely heavily on stereotypes and labels, which evoke strong imagery in representation of individuals and groups. This policy design perpetuates the social constructions embedded in our culture and embodied in policies so as to be accepted as fact. Ingram and Schneider (1993) noted that social construction of target populations become embedded within the dialogue and culture of a group of people, often reflecting stereotypes created by politics, media, history, and religion. For instance, Benson-Smith (2005) noted that the 1965 Moynihan Report created a link between race, receiving welfare, and behavior, which referred to African American female recipients as “welfare ladies”. The stereotypes generated from this report allowed President Regan to coin the term “welfare queen” in the 1980’s to depict mothers on welfare as lazy and overly fertile (Benson-Smith, 2005). Thus, this construction contributes to the negative images associated with welfare recipients.

The various aspects of policy design can be manipulated or framed in a way to reflect the social construction of a target population, which creates an interactive effect between policy design and social construction. These aspects include issue framing, language, implementation and institutional structures, tools employed within the policy design, and underlying assumptions (Schneider & Ingram, 2008).

Furthermore, policy development is affected by the policy image, which is the public’s understanding of a policy problem that is developed from both empirical information and emotive appeals (Baumgartner & Jones, 2009). Policy images can hold different meanings for

different people, with proponents of an issue displaying a particular set of images while opponents refer to another set of images, resulting in conflict (Baumgartner & Jones, 2009). For instance, Schneider and Ingram (1993) noted that citizens identified as making an income below the poverty line could be socially constructed as lazy or, in stark contrast, a group that is down on their luck. Moreover, refocusing a policy image, especially when it pertains to socially constructing a target population, can help expand an issue that once garnered little attention. Image manipulation is a critical part of the political game, especially when it pertains to getting issues on the agenda and in the policy design (Schneider & Ingram, 1993).

Problem definition is interrelated to the concept of policy image because policy images are instrumental in helping decision makers understand and view a policy problem. Many policy images link to social conditions, which can be manipulated to suit the needs of particular specialists, interest groups, or political parties (Baumgartner & Jones, 2009). Likewise, changing definitions can lead to a variety of solutions that can solve for a problem at a given time. Sidney (2005) noted that problem definition, target groups, and policy design must be linked in order for legislators to develop a rationale for promotion of a policy.

Moreover, Schneider and Ingram (1993) contend that politicians rely on social constructions for two reasons: a) reelection and b) to solve widely known problems. Huddleston (2006) noted that politicians are the agents of social construction. Therefore, politicians use social constructions they created for reelection purposes, such as touting the creation of a new law that will provide a harsh punishment for criminals or providing benefits to a group that is positively constructed. Schneider and Ingram (1993) noted that both the power of the targeted group and the perceptions of others regarding such policies are critical for social constructions to

work in the favor of a politician's reelection. Likewise, social constructions can be used to address the policy design for problems that are widely known by the citizenry.

### **The Typology of Social Construction of Target Populations**

The typology of social construction of target populations provides a policy space where social constructions are used to justify benefits and burdens. This space is not fixed; therefore social constructions can change allowing for target populations to move around in the space. For instance, DiAlto (2005) analyzed different strategies used by Japanese Americans to change or re-focus the social constructions about their minority from negative to positive, with the use of a variety of tools that included the media, courts, state legislatures, and Congress. DiAlto (2005) noted that Japanese immigrants were constructed as a "problem minority" in the twentieth century and these constructions were solidified as court decisions made immigrants ineligible for citizenship and restricted them from private land ownership (p. 82). Thus, discourse and policy that originally created negative social constructions were replaced over time with more positive constructions with the help of organizations such as the Japanese American Citizens League and through the Immigration and Nationality Act of 1952, which allowed for the target population of Japanese immigrants to move within the policy space.

Moreover, a person can be a member of a variety of different groups, which can relate to very different constructions. Schneider and Ingram (2008) provided an example of how a professional woman can be seen as a member of an advantaged group, but could easily be associated with a contender group if she has ties to a feminist organization or group.

There are two important factors that help guide the social constructions within this typology: power and image (Ingram et al., 1995). Power is essential to the typology created. Power, in this sense, refers to the use of political resources at the disposal of a target population,

such as the size of a group, intensity, wealth, organization, and access to decision makers (Schneider & Ingram, 2008). High power results in groups that receive more benefits, while low power target populations receive more burdens (Schneider & Ingram, 2008). A different set of images is associated with the two contrasting levels of power for a target population. Schneider and Ingram (2008) noted that “deservedness” or “entitlement” is associated with target populations that have significant power; however, those with less power are negatively constructed as “undeserving” and “unworthy”. For example, Soss (2005) asserted that welfare recipients are socially constructed as less deserving and will be less likely to have the political power to win benefits and, instead, receive more burdens.

Likewise, each target population is socially constructed with a positive or negative image. Schneider and Ingram (2008) noted that positive images paint a picture of a target population that is good, deserving, or entitled while negative images convey messages of greed, corruptness, immorality, and danger. For instance, Jensen (2005) noted that entitlements, such as pensions for veterans, are public policies that provide positive social construction for citizens. In stark contrast, negative images were constructed for intravenous drug users as they received more burdens than benefits when legislators enacted HIV testing for convicted drug and sex crimes (Schroedel & Jordan, 1998).

Additionally, the typology has provided a continuum to understand the interactive effect of power and image. Ingram and Schneider (1993) created four labels of social construction and policy design: a) advantaged, b) contenders, c) dependents, and d) deviants. Policymakers can gain public approval by providing benefits to the advantaged who have positive image construction and sanctions to those labeled as deviants who receive negative image construction. It should once again be noted that the labels are not static for a target group, meaning that some

groups are subject to manipulation and continually move around the policy space (Schneider & Ingram, 1993). What follows are the labels and explanations used to provide a firm understanding of the inner workings of the typology.

**Advantaged groups.** Schneider and Ingram (1993) defined the advantaged group as a target population that has great political power, is positively constructed, and is depicted as “deserving” of benefits, such as the conferring of rights, subsidies, and regulations. Both the group and others will respond favorably when benefits are bestowed upon them because of the positive construction that has been created. Ingram and Schneider (1993) stated that because the costs of benefits to this group are nearly impossible to see and because the group has a positive image, contention with policies for this group is rare. Moreover, this group receives fewer burdens than other groups and costs are not usually directed at this group (Ingram & Schneider, 1993). Schneider and Ingram (2008) contend that when burdensome policies are inflicted upon advantaged groups, they are justified as a way to level the playing field for other advantaged groups and are typically noted as necessary to achieve public goals. Ingram and Schneider (1993) continued that burdens are either buried in a chain of effects or tools that encourage voluntary or self-enforcement.

Furthermore, Schneider and Ingram (1993) noted that due to the strong power of the advantaged group, items relating to this group are often found on the legislative agenda. The policy design for this group typically contains public forums, which provide an outlet for a direct form of communication from the advantaged group to the political arena (Ingram et al., 1995). When benefits are allocated to the advantaged group, agency outreach programs are implemented to ensure that the participants within the group are made aware of their eligibility

(Ingram et al., 1995). Ingram et al. (1995) noted several examples of advantaged groups, including the military, small business owners, the elderly, and scientists.

Additionally, Hunter and Nixon's (1999) United Kingdom study found an example of policy designs that created an advantaged group through the positive constructions of a targeted group, which was borrowers for owner-occupier housing. In this case, homeowners with overdue debt were labeled as victims with out-of-control circumstances, allowing a distribution of benefits to curb the problem (Hunter & Nixon, 1999). In order to reduce mortgage repossessions, benefits were provided that ensured home ownership by providing direct payment of mortgage interest, a mortgage-to-rent scheme, improved lending counseling, and financial support to allow housing associations to rent repossessed properties to the homeless (Hunter & Nixon, 1999).

**Contender groups.** In the same notion, contenders share the idea of great political power and resources like the advantaged groups; however, their image has been negatively constructed as mostly "undeserving" (Schneider & Ingram, 1993). Ingram et al. (1995) noted that the negative images result in language and symbols that denote ideas of mistrust, relatively selfish, and untrustworthy. Contenders will receive benefits from public policy, but often are hidden in details of legislation. Schneider and Ingram (2008) noted that the goal for this group is to keep their items from appearing on the agenda and to workout issues with the government so that the broader public is unaware. Additionally, no politician wants to provide direct benefits to contenders because this could create counter mobilization of another group (Ingram & Schneider, 1993). This group will receive benefits when there are multiple beneficiaries, which will take the focus off of the contender group (Ingram & Schneider, 1993). Because contenders

hold power, they have some control over the types of policies that are created that will affect them and are able to challenge the burdens assigned to them (Ingram et al., 1995).

Ingram and Schneider (1993) discussed the coercive tools used to get contenders to comply with the appropriate policies directed toward them. For example, in the 1970's the auto-making industry could be viewed as a contender. Ingram and Schneider (1993) noted that in order to make automakers comply with the 1970 Clean Air Act, the act required auto factories to pay a fine of \$10,000 per vehicle that did not meet clear air standards. This fine provided incentive for automakers to remodel their car engines to provide compliance with the Clean Air Act. Because of loopholes and the political power of automakers, automobile emission goals of the Clean Air Act have not been successful (Ingram & Schneider, 1993).

Besides the auto industry, CEO's and big business along with labor unions, gun manufacturers, and the rich are all examples of groups that compose the contenders (Ingram et al., 1995). Even though these contenders have negative images, one cannot argue with the political power each group holds. Their political power allows them to challenge any burdens that might be directed toward them. Hunter and Nixon (1999) provided an example of home lenders that became contenders from the 1991 mortgage rescue package in the United Kingdom, who were successfully protected from potential burdens due to their power.

**Dependents.** Dependents are categorized as having positive constructions, but lack political power because group members are fragmented, limited in number, unorganized, and typically lack material resources (Ingram & Schneider, 1993). Ingram et al. (1995) noted that although dependents are viewed as good and deserving people, the lack of political power holds them back because they do not hold the power to ask for more and are viewed as unable to do

things for themselves, which creates the perception of being a group that cannot impact the political arena.

Dependents receive some benefits from public policies; however, they also receive burdens because of their lack of political power. Benefits are accompanied with heavy positive rhetoric and low financing, with federal policies being pushed to local governments to mandate (Schneider & Ingram, 2008). Ingram and Schneider (1993) noted that the magnitude of a dependents problem is perceived as a natural product of their incapability to solve for their own problems. This means that this group is viewed as unable to solve for problems because they lack the skills, character, wealth, or discipline. Moreover, dependents have very few organizations that they can claim as their own, which also is a deterrent in helping dependents receive direct benefits (Ingram & Schneider, 1993). However, Ingram and Schneider (1993) asserted that many see the private/non-profit sector providing solutions for this group, which includes churches, volunteer organizations, and philanthropists. An illustration of this can be found from neighborhood revitalization and organizations that work to resolve urban problems. Camou (2005) provided an example in her qualitative case study research, which noted that unlike legislators and nonprofit organizations, neighborhood organizations became a voice for an African-American neighborhood in Baltimore to focus resources, such as skill and job training, on disadvantaged groups instead of favoring more positively constructed groups.

Policies created that provide benefits for dependents are more likely to target this group as a secondary beneficiary, as they are depicted as a group that cannot use good judgment. For instance, Ingram and Schneider (1993) provided an example by demonstrating that funding for battered women does not go directly to the victims, but instead to local governments or non-profits because they are more powerful, better trusted, and have better organization than the



victims. This reinforces the mantra of dependents that are socially constructed as deserving but cannot be trusted because of their lack of power.

Examples of groups that are socially constructed as dependents include widows, mothers and children, orphans, the mentally handicapped, families in poverty, the homeless, and most students (Ingram et al., 1995). Ingram and Schneider (1993) stated that barriers do exist that creates a sense of helplessness for the group. For instance, political participation can be stifled for children because they are not allowed to vote until they turn 18; therefore they lack a direct route in the political process (Ingram & Schneider, 1993). Likewise, Ingram and Schneider (1993) provided an example of limited representation for Native Americans that are restricted to very few state legislature districts because of clustered reservations. These two examples provide confirmation of why such groups have no other choice than to be dependent. Therefore, decision makers want to provide assistance for dependents because their problems are viewed as out of the control and they cannot solve for their problems on their own (Ingram & Schneider, 1993).

**Deviants.** Schneider and Ingram (2008) asserted that deviants are labeled with very heavy negative constructions and very low power, allowing the government to assign blame. Rather than providing benefits to deviants, public policy disproportionately targets this group with burdens, sanctions, and punishments (Ingram et al., 1995). Deviants are blamed for the social ills of society because they are depicted as evil by nature and, as a result, make up a permanent underclass in the United States (Ingram et al., 1995).

Ingram and Schneider (1993) noted that deviants mirror the advantaged groups in regards to legislative attention with the exception of the type of policy tool used in the design process, which is focused on burdens and sanctions instead of benefits. This helps the policy image of a

political decision maker, especially during a campaign season, because the general public believes this group is “undeserving” and should receive punishment. Additionally, deviants have few groups that will speak on their behalf (Ingram et al., 1995).

Ingram et al. (1995) described several examples, including drug users, computer hackers, sex offenders, spies, illegal immigrants, criminals, and terrorists. An empirical study of drunk driving policies by Houston and Richardson (2004) asserted that less attention is paid to programs that are developed to help drinking drivers and more attention and resources are funneled into legal penalties and strict enforcement, which is reflective of punishments directed toward deviant groups. Likewise, Ingram and Schneider (1993) noted drug-testing policies as another example of policies that are targeted at deviants. For instance, these policies have been created, which allows employers the ability to invade someone’s privacy without any evidence of probable cause when it comes to drug testing before one accepts a job, on the job, or after an on the job accident. The message, however, is clear. If a person is capable of risky behavior while being employed, they are subject to drug testing because it is a societal ill.

### **Effects on Citizenship and Participation**

Schneider and Ingram (2008) asserted that because of social construction of target populations, public policy has a deep and fundamental impact on the social and political system of the citizens served. Social consequences include areas relating to one’s vision of citizenship and the understanding of justice. Moreover, political consequences are subject to reinforcement in the institutional culture. Policy designs not only shape the experience for the target population, but it also sends implicit messages about their problem and the level of importance it is to the government and whether participation is to be effective (Ingram & Schneider, 1993). Schneider and Ingram (1993) asserted that these constructions send messages that become

internalized by citizens that tell them who is deserving and undeserving and these messages could encourage passivity of participation if negatively constructed.

For a target population, the messages received through policy design help to shape the identity, attitudes, and political participations of those identified within the target. Schneider and Ingram (2008) noted that the social construction and policy design creates an unequal citizenship, where target populations with lower power are unlikely to participate, even though their increased participation would help them gain more ground politically, while those with high power participate at higher levels to protect their privileges even though they may disagree with the government. This creates a citizenship of those who not only feel powerless, but also perpetuates the message that has been socially constructed through a public policy.

The advantaged target is consistently sent a message that conveys the group is good and intelligent (Ingram & Schneider, 1993). This group receives outreach when policies are implemented that benefit the group, which allows government to seem approachable. Thus, political participation is high in regards to voting, interest group participation, and campaign contributions and the advantaged target group will backlash government if others, that are negatively constructed, receive benefits (Ingram & Schneider, 1993).

Contenders, on the other hand, receive very different messages from the government and react in a way that implies that politics is a competitive game of power and skill where some will win and others will lose (Ingram & Schneider, 1993). Ingram and Schneider (1993) asserted that contenders are often sent the message of a governmental scapegoat, which is resented by this target group. Contenders' political participation can be viewed through lobbying efforts and campaign contributions.

Ingram and Schneider (1993) asserted that when policies provide benefits to dependents and deviants, they often are accompanied with rhetoric that is alienating and disempowering. Likewise, when these disadvantaged groups receive sanctions and burdens, the result can have direct implications for democratic participation. Dependents receive messages that they are poor, helpless, and needy with problems that have been created by their own lack of skill and power (Ingram & Schneider, 1993). Campbell (2003) noted that political participation is dramatically different between groups that are required or not required to receive benefits based on means tests. Demoralizing tests, such as income testing, and caseworker discretion is required in order for dependents to receive benefits. This is in stark contrast to the advantaged group, who receives outreach programs in order to ensure benefits are implemented for the group. Thus, dependents are very passive when it comes to political contributions. Voting and interest group cohesiveness is given little thought for dependents because they view government and politics as a matter of concern for others (Ingram & Schneider, 1993).

Lastly, deviants are accompanied with negative constructions, with messages conveying that they are bad people; therefore, this group perceives mainly negative experiences with the government (Ingram & Schneider, 1993). This group does not see any point in government. For instance, Ingram and Schneider (1993) described using a policy tool to burden a deviant group, such as convicted felons, with the loss of voting privileges. This policy tool directly impacts this deviants group's civil rights in the ability to participate as a United States citizen. Any benefits provided to this group are typically unclaimed, while political participation results in the form of riots and protests (Ingram & Schneider, 1993).

Schneider and Ingram (2008) argued that the messages, both instrumental and symbolic, impact citizens by telling them who is deserving, trustworthy, greedy, dependent or helpless.

These messages become internalized and affect a targeted groups political participation. These political attributes become embedded not only in political discourse, but also within policy design. Additionally, policymakers build their political base by responding to and manipulating social constructions (Ingram et al., 1995). Therefore, policies represent social constructions. Viewing policy through social construction allows one to examine how policies develop, support positive and negative constructions, and ultimately become implemented (Ingram et al., 1995).

While the theory developed by Schneider and Ingram (1993) has been applied to a variety of policies (see Benson-Smith, 2005; Camou, 2005; Hunter & Nixon, 1999; Jensen, 2005), there has not been any application of this theory to policies regarding higher education. Thus, this study contributes to the theory of social construction of target populations by examining how state legislative bodies socially construct students and citizens in the design of lottery scholarship policies.

### **State Lottery Scholarship Analysis**

Brady and Pijanowski (2007) noted, “state lotteries are one of the fastest growing segments of the legalized gambling issue” (p. 21). State lotteries have been created by states to fund various public initiatives, such as providing additional revenue for the general fund, pre-kindergarten programs, K-12 education, senior citizen programs, and higher education scholarships (North American Association of State and Provincial Lotteries, 2012). Many researchers have explored lotteries for research, but particular interest has been focused on higher education scholarships and public policy. This section synthesizes those studies. First, the review focuses on the literature regarding the lottery and higher education scholarships. This section closes by examining the literature regarding the application of lotteries and public policy.

## **State Lottery and Higher Education Scholarships**

Banks and O'Brien (2008) noted that the United States Supreme Court held that the states, rather than the federal government, should direct educational policy. This has meant that a majority of higher education policies are established at the state level, which includes funding. Most institutions of higher education have depended heavily on state support for a majority of operational funds (McGuinness, 2005). State "support", however, has been substituted by state "assistance", as declines in state funding have put stress on the financial structure for institutions of higher education. With declining state support, many states have found that state lottery policies are an alternative way to generate funds for higher education (Arnone, 2003). These policies generate funds that not only provide indirect support for operational budgets, but also provide access for students of higher education (Duffourc, 2006). For many states, lottery policies have been designed as a means to enhance public goals.

In general, the public goal of a state-operated lottery is to generate additional funds to help support state initiatives. Clotfelter and Cook (1989) noted that state lotteries are remarkably alike in their design of a government-operated monopoly. Legislators are able to create lottery policy that allows a state government to authorize, run, and become the beneficiary of a state lottery program. The lottery program is set up by the state government in a way that allows the government to be in total control, from the selling of lottery tickets to distributing the revenues. The state government becomes the monopoly because there are not any outside parties making decisions in regards to how the lottery is run or how the revenue generated will be used. Thus, the lottery becomes an agency within the state government (Bobbitt, 2007).

Decision makers have championed lotteries because it allows the state to generate additional funds without burdening the general citizenry with a further tax burden. Instead,

funds are generated through the voluntary purchase of lottery tickets. These voluntary purchases, however, are still viewed as an excise tax on lottery play. For instance, Rubenstein and Scafidi (2002) noted that there is an implicit tax for lottery purchases, which is much higher than the involuntary sales tax rates on most other goods and services. Thus, lottery policies have been met with much controversy. While many states were divided regarding the adoption of a controversial lottery, the image changed to a “societal good” when lottery revenues became earmarked for education (Ness, 2008).

Additionally, lottery policies can be a political winner for decision makers. Since many states have earmarked funds for education, new stakeholders have been created in the process, which consist of parents of college-bound children, college students, and parents of younger children (McCrary & Condrey, 2003). Thus, lottery policies can help with re-election purposes. Cornwell, Mustard, and Sridhar (2006) noted that merit aid scholarship programs gain political support from middle and upper-income households since they are the primary beneficiaries of such policies. Moreover, Nelson and Mason (2003) asserted that there are political winners when policymakers use “incremental diffusion”, which is when a state improves on lottery policies that have been adopted by other states (p. 668). This improvement allows citizens to favorably view the newly adopted policy, which reflects the decision-making ability of the policy makers.

It should be noted that lotteries are not without controversy. Bobbitt (2003) noted that opponents ran a campaign on moral values when Tennessee brought the lottery to a vote of the people. Likewise, religious interest groups were successful in silencing a lottery bill in the mid-1980s in Oklahoma (Gilmore, 1985). Moreover, opponents also cite evidence that state lotteries often are unable to produce projected revenues (Bobbitt, 2003).

According to Moore (2009), Arkansas became the 43<sup>rd</sup> state to implement a state lottery. States vary in revenue distribution as funds are designated for such areas as the general fund, K-12 education, higher education, and construction projects. Currently, 26 states have implemented lotteries to provide revenue for education; however, lottery earmarks for higher education scholarships are only designated by 10 of these states, which include Arkansas, Florida, Georgia, Kentucky, New Mexico, North Carolina, Oklahoma, Tennessee, South Carolina, and West Virginia (North American Association of State and Provincial Lotteries, 2012). States with lottery policies that have earmarked revenues for education typically create an educational lottery trust fund and, therefore, have traditionally reserved funds for two purposes: K-12 projects and higher education scholarships. For higher education, lottery scholarship policies vary from state to state, with some providing \$500 per year for tuition and other states providing full tuition, fees, and a book allowance to eligible students (North American Association of State and Provincial Lotteries, 2012). While most educational lotteries are similar in nature, the majority of variation across lottery policies takes place when state legislatures have replicated and improved on policies from neighboring states.

Traditionally, state lottery scholarships have been categorized two-fold: merit aid and need-based aid. Merit aid is categorized as funds provided to students based on a relatively high grade point average and standardized test scores. The merit-aid tradition can be traced back to the 1993 Georgia based Helping Outstanding Pupils Educationally (HOPE) scholarship (Dynarski, 2000). Since Georgia's implementation of a merit aid program, over a dozen states have since adopted similar programs. It should be noted that not all states with merit scholarships rely on revenues generated from a state lottery to fund scholarships. For this reason, the focus will be on the literature that relates to lottery scholarship policies. While



programs vary in selection and retention requirements, states with merit guidelines are the most popular model for lottery policies (Heller & Marin, 2002).

In contrast, need-based aid typically allows for a lower grade point average or standardized test score and includes eligibility based on income. Two states provide higher education lottery scholarships based only on financial need: Oklahoma and North Carolina. Oklahoma's Promise, a scholarship program created before the 2005 lottery but now financed partially by the state lottery, is based on financial need and the completion of a high school core curriculum (Simpson, 2005). The North Carolina Education Lottery Scholarship (ELS) was also created in 2005 and financial awards are based on the same criteria as the Pell Grant (College Foundation of North Carolina, 2013). Ness and Noland (2004) presented a third type of aid, referred to as targeted merit aid. Targeted merit aid provides a supplemental scholarship added to the base amount of merit aid, which ensures inclusion of low-income, minority students for those that qualify. Tennessee's HOPE program, created in 2003, is the only state program to adopt this type of award for income eligible students.

Although the revenues generated for higher education are not distributed directly into an institution's operational budget, the funds are provided to students in the form of scholarships, which cover tuition. Binder and Ganderton (2004) noted that these programs are likely to change the student's choice for which institution to attend, with students choosing larger 4-year universities than smaller schools. Furthermore, Kash and Lasley (2009) noted that lottery scholarship programs have been championed for three reasons: a) scholarships increase college access for students, b) the program retains academically talented students to stay within their home state for post-secondary higher education, and c) programs create long-term academic commitment for students. These three areas will be examined in more depth below. Each section

provides a synthesis of the scholarly research conducted on lottery scholarship programs in relation to access, academic retention, and academic commitment.

**Equal access.** Bowden and Elrod (2004) stated, “Public policy demands that states pursue policies that enhance rather than offend public goals, such as providing equal access to publicly funded postsecondary education” (p.75). Many studies, however, have shown that lottery scholarship policies do not facilitate equal access to higher education (see Bowden & Elrod, 2004; Campbell & Finney, 2005; Heller & Marin, 2002; 2004; Ness & Tucker, 2008). These state lottery policies have one identifiable link: merit aid funding. Merit aid lottery policies, which do not account for low income but instead focus on academic discipline, tend to disproportionately limit access to students deriving from low-income (Heller & Marin, 2002; 2004; McCrary & Condrey, 2003). By limiting scholarship access, one must question the assertion by Bowden and Eldrod (2004) and ask if states that have merit aid lottery policies are able to enhance public goals. For instance, Dynarski (2002) applied a differences-in-differences methodology to compare changes in college attendance in Georgia with surrounding states that did not have merit based scholarship programs. Dynarski (2002) analyzed data from the Current Population Survey, a national household survey, and the Integrated Postsecondary Education Data System, which provides data from postsecondary institutions. Dynarski (2002) noted that the Georgia HOPE scholarship increased the gap among white and black students attending college from 11 to 26 percent. Unfortunately, merit aid policies disproportionately open access to mostly students that would otherwise find alternative ways to pay for education (Farrell, 2004; Heller & Marin, 2002).

This is further exacerbated by a Kentucky study, which applied means tests, correlation, and multivariate analysis to school-level data to examine the relationship between schools rather

than within schools, noting that merit aid lottery scholarships were regressive in their distributions as awards were made at higher levels to students attending private schools, females, and Caucasian students (Kash & Lasley, 2009). The current award structure in Kentucky does include a need-based component. Therefore, Kash and Lasley (2009) argued that the Kentucky program would not effectively achieve stated public goals of access and retention since lottery revenues for Kentucky are static and the current structure pits retaining the best and brightest students in the state against the goal of increasing access to higher education.

Dynarski (2000) examined the access issue in Georgia by empirically collecting data from the Current Population Survey, which provided detailed demographic data for Georgia, and the Integrated Postsecondary Education Data System, which provided information from post-secondary institutions as collected by the U.S. Department of Education. Dynarski (2000) concluded that middle and upper class students that are debating about whether or not they should attend college are given an incentive by lottery scholarships to begin or continue their education. For example, the Georgia HOPE scholarship increased attendance rates from 3.7 to 4.2 percentage points for every \$1,000 in financial assistance (Dynarski, 2000).

In general, studies show that state lottery policies create regressive spending policies (e.g. Bowden & Elrod, 2004; Clotfelter, 1979; Clotfelter & Cook, 1989; Rubenstein & Scafidi, 2002). A classic study by Clotfelter (1979) collected data from the Maryland State Lottery Agency regarding average daily and weekly lottery ticket sales data and data regarding zip code lottery sales. Clotfelter (1979) concluded by simple regression that low-income households buy more lottery tickets, which reinforces the argument that state lottery revenue structures are regressive. As a regressive tax, this replaces money that would otherwise be spent within the state in the form of other spending (Clotfelter & Cook, 1989). Studies have shown that, for the most part,

the typical players of the lottery (low-income, mainly poorly educated) reap very little benefits of the lottery (e.g. Bowden & Elrod, 2004; McCrary & Condrey, 2003; Rubenstein & Scafidi, 2002).

Take for instance a study by Bowden and Elrod (2004) that examined lottery effect through a case study method focused on merit aid lottery scholarships, which synthesized lottery participants, college participants, and the implications of lotteries funding higher education. Bowden and Elrod (2004) argued that states make a poor choice for raising revenues for scholarships because lotteries are a regressive tax on the poor, mainly composed of minority citizens.

With the use of descriptive statistics, t-tests, chi-square statistics, and fixed-effects panel data models, McCrary and Condrey (2003) examined intergroup differences of lottery players and scholarship recipients in Georgia. The researchers relied on numerous data sets, which included a survey of thirty-seven states and the District of Columbia, a survey that examined the rates of play, receipt of benefits and public opinion in Georgia, and Georgia based data from the Georgia Lottery Corporation, Georgia Student Finance Commission, and the P-16 Council. The results showed that while support is strong for the lottery, African Americans and people deriving from low-income households are more likely to play the lottery, providing the revenue to supply college scholarships for those deriving from mostly middle and upper income households; however, Georgia increased spending on education after the implementation of the lottery, unlike other states (McCrary & Condrey, 2003).

Additionally, Rubenstein and Scafidi (2002) conducted a study on the distributional consequences of the Georgia Hope scholarship by collecting household survey data, which asked respondents about lottery spending, and lottery-funded program data, which were collected from

various sources in Georgia including county-level aggregate data, HOPE Scholarship allocation data, and pre-kindergarten data from the Georgia Office of School Readiness. By creating an empirical model that explored the net household spending to household characteristics, the researchers found that the Georgia Hope Scholarship program is regressive in the fact that non-whites spend more on the lottery and whites receive more scholarship money than any other ethnicity (Rubenstein & Scafidi, 2002). Additionally, Rubenstein and Scafidi (2002) concluded that the majority of the lottery tax burden was composed primarily of lottery players derived from minorities.

Cornwell and Mustard (2007) concluded in their study that the Georgia Hope scholarship disproportionately benefited wealthy families over those who typically play the lottery, which were cited as low-income residents. Cornwell and Mustard (2007) presented evidence that these wealthier families spent money that they would have used for their child's college expenses for a new vehicle, since the in-state scholarship freed up discretionary funds. Through regression analysis that included the examination of car registrations in Georgia before and after the implementation of the Hope lottery scholarship program, an increase in car sales was found to be statistically significant during the third year of the Hope scholarship program, which was the year that the income cap was removed as part of the eligibility for a scholarship (Cornwell & Mustard, 2007). Additionally, Cornwell and Mustard (2007) found that county-level registration information revealed that registrations significantly increased for counties above the 75<sup>th</sup> percentile in per capita income. Stewart (2013) referred to these vehicles in her article as "HOPEmobiles", citing that these were the cars being bought by parents to reward students for staying in-state and financing college through a Hope scholarship.

The trend is clear: lower income players tend to spend more in the lottery than those of higher income and reap very few benefits. This is reinforced by the following example: two University of New Mexico economists stated that the New Mexico lottery scholarship attracted new minority and low-income students to UNM; however, a study conducted at the university over the course of five years noted that 70% of scholarship recipients were higher income (Black Issues in Higher Education, 2004). Moreover, Binder, Ganderton, and Hutchens (2002) analyzed data from the 1996, 1997, and 1998 Integrated Postsecondary Education Data System to examine the New Mexico postsecondary enrollment rates before and after the implementation of the Success Scholarship to conclude that the primary beneficiaries of the New Mexico Success Scholarship tended to be white students and students from higher-income families. Likewise, a study examining five states with merit aid policies discovered that white students have a greater opportunity to receive merit aid scholarship than African American and Hispanic students (Farrell, 2004).

Ness and Tucker's (2008) study did shine a glimmer of hope for access regarding the use of lottery scholarships. Their study examined the state of Tennessee, which not only provides high school graduates with merit-based aid, but also provides access to nontraditional students, low-income students, and minority students. Examining student-level data collected from the 2005 Senior Opinions Survey sponsored jointly by the Tennessee Department of Education and the Tennessee Higher Education Commission, Ness and Tucker (2008) employed a logistic regression to conclude that targeted merit-aid provided by the Tennessee HOPE scholarship did grant greater access to students, but a gap was still identified. Although this finding is encouraging to access, Tennessee is the only state lottery program that offers targeted merit aid.

**Retention of academic talent.** Many states advocate for merit scholarship funding because it not only provides access to higher education, but it also keeps students attending institutions in their home state (Ackerman, Young, & Young, 2005). Duffourc (2006) noted that these programs are championed because they reduce “brain drain,” which is the idea that the exceptional students leave a state to pursue degrees and never return (p. 234). Cohen-Vogel, Ingle, Levine, and Spence (2008) noted that state legislators, who were derived from six various states with merit aid lottery policies, referred to the need to reduce brain drain by retaining the best and the brightest students to matriculate into in-state institutions. With the goal of reducing brain drain, merit aid policies have been designed to keep students from leaving their home state.

Ingle, Cohen-Vogel, and Hughes (2007) noted that one factor in adopting merit aid policies by neighboring states in the southeast region of the United States was the aspect of competition for students. For example, Georgia retained nearly three-fourths of their student population who attained a 1500 on the SAT once the HOPE scholarship was introduced, an increase of nearly 50% (Duffourc, 2006). As states implemented policies to keep the best and brightest students from leaving to a bordering state to pursue their post-secondary education, other states in the southeast region began designing similar lottery scholarship policies to retain their best academic students.

In stark contrast, Stanley and French (2005) noted in their study that enrollment of postsecondary education in southern states has not increased due to lottery policy adoptions. Applying pooled time-series, cross-sectional data analysis on state-level data gathered from a grouping of all southern states between 1970 to 2000, the researchers were able to examine the relationship between higher educational enrollment (at both two-year and four-year institutions) and federal education spending, gross state product, lottery revenues, lottery presence,

population, governor's political party, governor's election year, unemployment percentage, higher education spending, and poverty. Stanley and French (2005) found that population growth within the state and increased unemployment levels accounted for increased attendance. Stanley and French (2005) noted that the enrollment would have increased without the enticement of lottery scholarships. This study yielded no significant relationship between higher education enrollment and the other independent variables, such as gross state product, poverty level, and governor's election year,

**Academic commitment.** While access and retention are major goals for state lottery policies, scholarships also entice students to commit to their academic careers. Using a regression model composed of data from the 1988-97 Integrated Postsecondary Education Data Systems (IPEDS) surveys conducted by the National Center of Education Statistics, Cornwell et al. (2006) found that standardized test scores in Georgia rose almost 40 points after the implementation of the HOPE program. Additionally, Henry and Rubenstein (2002) employed a pooled time series analysis that included two data sets with state-level data from the College Board on SAT scores and self-reported grades for all college-bound seniors in Georgia and in seven other southern states in which a majority of high school graduates take the SAT. The result is that merit aid provided an incentive for students in Georgia to improve their academic commitment by increasing their high school grade point averages. Thus, these scholarship programs focus the effort on students to improve their education. Moreover, Ackerman et al. (2005) noted that merit programs encourage students to matriculate into state supported institutions of higher education right out of high school. Thus, standards are created to encourage students to stay committed and focused on academics. For instance, states require



students to maintain a specific grade point average in order to retain lottery scholarships once a student has completed a specified amount of college semesters.

In contrast, while academic commitment might be a goal, it may not always be attainable for students that struggle. Binder et al. (2002) noted that the New Mexico Success scholarship program actually increased the number of lower-ability students at the states flagship institution: The University of New Mexico. As a result, the attrition rate of first-year students increased after the lottery scholarship program went into effect (Binder et al., 2002).

Furthermore, the reality of these scholarship programs is that the academic rigor of higher education can provide negative consequences for students if they potentially lose their merit lottery scholarship. Overall, roughly half of HOPE scholars lose their funding after the first academic year of eligibility (Dee & Jackson, 1996). McCrary and Condrey (2003) discovered that by a student's senior year, minority scholarship recipients were more likely to lose their HOPE scholarship than their white counterparts. In a study conducted on borderline HOPE scholarship recipients in Georgia, data was collected from the University System of Georgia and the Georgia Student Finance Commission, which provided a 4-year longitudinal database allowing the comparison of students receiving the HOPE scholarship with students that did not receive the scholarship aid. Henry, Rubenstein, and Bugler (2004) conducted an ordinary least squares regression model to examine the credit accumulation and cumulative college GPA among borderline students and their peers. Additionally, a logistic regression model was used to examine graduation and persistence between the two groups. Students that barely attained scholarship eligibility outperformed their peers scholastically in both credit accumulation and graduation; however, 85% of these students lost their scholarship after the accumulation of 30 credit hours because they could not maintain scholarship eligibility (Henry et al., 2004). Losing

the scholarship had a profound effect on persistence and graduation. Henry et al. (2004) noted that the positive effects of receiving a HOPE scholarship were thwarted when students lose the scholarship, with students who lost the HOPE scholarship at the same place as peers without the scholarship in both persistence of continuing their education and graduation. Likewise, Dee and Jackson (1996) argued that the Georgia HOPE scholarship financially punished students choosing to study in the rigorous fields of science, engineering, and computing, as students studying in these fields were 21 to 51% more likely to lose their funding.

### **Lotteries and Public Policy**

Although most scholarly studies have focused on the effects of lottery aid, a few studies have examined the policy process. Ness (2010) examined the lottery scholarship system in New Mexico, Tennessee, and West Virginia through the advocacy coalition, multiple streams, and electoral connection frameworks. The advocacy coalition framework focuses on the coalition of stakeholders and the policy subsystem through which external forces cause a reconsideration of policy strategies (Sabatier & Weible, 2007). Multiple streams is a framework that suggests policy entrepreneurs couple three metaphorical streams, known as problems, politics, and policy, at the right time through an unpredictable policy window (Kingdon, 2005). The electoral connection framework is based on the notion that legislators' policy decisions are based on their desire to be re-elected (Mayhew, 1974). Ness (2010) noted that the multiple streams framework provided the "greatest explanatory power" in his study in regards to implementing public policy regarding lottery scholarships in the way states recognized that there were opportunities for the coupling of problems, policies, and politics by policy entrepreneurs (p. 139). In this case, there were problems with declining state funds for higher education and elected officials found an opportunity for an open window to push through the lottery scholarship policy (Ness, 2010).

This study yielded little or no results in support for the advocacy coalition and electoral connection frameworks; however, this study does provide insight into policy-making decisions regarding higher education.

Applying a qualitative comparative case study method relying primarily on interview data, Ness and Mistretta (2009) applied the multiple streams framework to evaluate the policy process by examining how Tennessee and North Carolina both implemented lottery legislation, but focused revenues for different aspects of education. Tennessee adopted a policy similar to neighboring states, which used revenues for higher education scholarships. North Carolina, on the other hand, earmarked money mostly for K-12 purposes. Ness and Mistretta (2009) noted that both states relied on elected officials to become policy entrepreneurs that were able to garner support for lottery legislation at the right time due to fiscal problems, thus coupling the three streams of educational funding problems, lottery legislation policies, and politics. Additionally, Ness and Mistretta (2009) noted that due to the vastly different state governmental structure in North Carolina and Tennessee, the policy output was different. For instance, North Carolina is composed of higher education institutions with lower tuition, which helps prevent brain drain. This seemed to re-shape the problem stream to focus revenues for K-12 education rather than higher education in-state student retention.

Policy diffusion, or the emulation of policies enacted in nearby states, has been the focus of several lottery policy studies. Using event history analysis, Berry and Berry (1990) examined how lottery policies diffuse across states, citing that states are influenced to adopt policies by both internal political and economic characteristics, such as poor fiscal health, and by the adoption of similar policies by neighboring states. Cohen-Vogel et al. (2008) discovered three reasons for the emulation of merit aid policies enacted by neighboring states: a) competition, b)

convenience, and c) interstate policy networks, such as professional organizations and associations. Pierce and Miller (1999) examined diffusion from the angle that different types of lotteries, general fund versus education, produce different politics. Religious fundamentalists did not effectively oppose education lotteries when compared to general fund lotteries, which could be tied to the symbolic nature of education (Pierce & Miller, 1999).

Nelson and Mason (2003) applied diffusion theory to explain how adopting lottery states not only replicate lottery policies, especially from neighboring states, but also improve and adapt to each state's distinctive conditions. In their study, Georgia legislators were able to model a lottery policy after Florida, but modified the revenues generated to provide supplemental funds for education rather than replacing existing educational spending.

Additionally, Ingle et al. (2007) examined lottery policy diffusion in the southeastern region of the United States and found that competition for students and economic development were both factors in states adopting merit aid programs. Important to the diffusion process was information sources, which included regional policy networks, such as regional boards and associations, agency staff, and external policy entrepreneurs (Ingle et al., 2007). Non-adopting states were noted as having unique intrastate politics and were situated in different circumstances for institutions of higher education, such as institutional caps on out-of-state students.

In summation, researchers have examined lotteries, especially in the southeastern region of the United States, to examine the effects on students in higher education and the policy process. In regards to the literature of lotteries and higher education, researchers have primarily examined the effect on access, retention of academically talented students, and increased academic performance for students (e.g. Bowden & Elrod, 2004; Duffourc, 2006; Heller & Marin, 2002; 2004; Henry & Rubenstein, 2002; McCrary & Condrey, 2003; Ness & Tucker,

2008). While studies have focused on implementation (e.g. Ness & Mistretta, 2009; Ness, 2010) and diffusion theories (e.g. Berry & Berry, 1990; Cohen-Vogel et al., 2008; Ingle et. al., 2007; Nelson & Mason, 2003), researchers have yet to focus on policy design, specifically the social construction of target populations. With the knowledge of the relevant literature regarding access, retention, and academic performance, this study fills the gap of how lottery policies are designed with citizens in mind.

### **State Level Characteristics**

In 1964, New Hampshire was the first state to adopt a lottery, designating the revenue generated to fund public education (New Hampshire Lottery Commission, 2012). Since 1964, over 25 states have used revenues derived from lotteries to fund educational initiatives. In 1993, Georgia became a trendsetter when it became the first state to create an educational lottery trust fund that would designate a portion of lottery revenue to fund a merit aid scholarship program for college bound students (Bobbitt, 2003). Georgia established a program that allows qualifying residents to attend institutions of higher education within the state tuition free. As the trendsetter, the Georgia HOPE program is also the most studied (e.g. Cohen-Vogel et al., 2008; Cornwell & Mustard, 2007; Cornwell, Mustard, & Sridhar, 2006; Dee & Jackson, 1999; Dynarski, 2000; Heller & Marin, 2002; 2004; Henry & Rubenstein, 2002; Henry, Rubenstein, & Bugler, 2004; McCrary & Condrey, 2003; Rubenstein & Scafidi, 2002). While states vary on the use of revenues generated from state lotteries, 10 states, mostly in the southeast, have used their lotteries to fund higher education scholarships; however, it should be noted that the merit aid trend has been emulated in other states, but is funded through sources other than lottery revenue.

As states adopted lottery policies, many general characteristics, or trends, began to develop. What follows is an exploration of the different trends that appear when states adopt

lottery scholarship policies. Additionally, the chapter concludes with a profile of the Arkansas lottery policy, which provides a brief historical summary of how the state adopted and implemented the lottery and scholarship program.

### **Lottery Policy Trends**

A general trend for states to consider the adoption of a state lottery policy tends to emerge as a state's economy is met with fiscal restraint (Nelson & Mason, 2007). Many states have adopted lottery policies when states are unable to fund public goals. More specifically, lotteries have been created in many states to accomplish public goals tied to education. Thus, lotteries have provided additional funding streams to support stated goals.

A general tendency with lottery policy, however, is the struggle within a state to pass legislation. Typically, states, especially in the southeast, are resistant to adopting a state lottery. Bobbitt (2003) noted that the southeast region of the United States rejected lottery policies more than states from the North and Midwest. Alabama, Arkansas, Florida, North Carolina, Oklahoma, and Tennessee all rejected lottery referenda before finally adopting policies years later (Bobbitt, 2003; 2007; Casteel, 1986; Gilmore, 1985; Nelson & Mason, 2007). Religious organizations, composed of mainly Christian conservatives, comprise most of the organized resistance. Their opposition is mainly based on a morality issue. Oklahoma legislators had several unsuccessful attempts at lottery legislation that was brought to the floor in the mid-1980s that was silenced by pressure from religious interest groups (Gilmore, 1985). Another reason for struggles within lottery legislation is legislature disagreement. According to Stepp (1998), the Kentucky legislature delayed a lottery bill several times because decision makers disagreed on the provisions of what the lottery would fund, which eventually included scholarships, a literacy center, and existing need-based financial programs. Greiner (1992) reported that Oklahoma

policymakers frowned on the idea of a lottery in the early 1990s because the profits focused on government support, with senators stating that government should not rely on lottery funds for operation. According to Ness (2008), the West Virginia scholarship program titled Providing Real Opportunities for Maximizing In-state Student Excellence, or PROMISE, was authorized in 1999, but debate over funding, criteria, and governing delayed the implementation of the program for three years until 2001. Besides resistance among conservative Christian organizations and legislature disagreement, Nelson and Mason (2007) noted that diffusion overload accounted for the long lottery journey in Tennessee since both casinos and lotteries were being adopted in neighboring states, which made it hard for Tennessee to focus on a specific gambling policy. The Tennessee General Assembly finally enacted a lottery in 2003.

Moreover, another trend in lottery scholarship legislation is the fact that most states have a Democrat leader who focuses lottery legislation for the state legislature and gubernatorial campaigns tend to help lead movements for establishing a lottery. Nelson and Mason (2007) noted Zell Miller (D-Georgia) became the first gubernatorial candidate in Georgia to champion a lottery in 1990, urging the Georgia General Assembly to pass a state lottery to generate revenues for education. Governor Lawton Chiles (D-Florida) proposed expanding lottery revenues to provide scholarships for college students through the Bright Futures Scholarship program in Florida (Bobbitt, 2007). Jim Hodges (D-South Carolina) successfully ran a gubernatorial campaign on a platform that argued that the lottery would help solve educational funding issues by providing supplemental dollars for education without raising taxes. Additionally, Hodges campaign demonstrated that South Carolinians were funding a significant amount of scholarships for students in their neighboring state of Georgia (Nelson & Mason, 2007). In 2000, gubernatorial candidate Bob Wise (D-West Virginia) ran a successful platform for funding the

West Virginia scholarship PROMISE program through a video lottery, also known as gray machines (Ness, 2008). In Tennessee, state senators Steve Cohen (D-Tennessee) and Ward Crutchfield (D-Tennessee) were prominently focused on passing the lottery and kept the lottery issue high on the Tennessee agenda during the 1990s (Nelson & Mason, 2007). Likewise, Snyder (2004) reported that Brad Henry (D-Oklahoma) also ran a successful campaign for the governor of Oklahoma with a campaign promise of implementing a state lottery. There is one political party exception. Gary Johnson (R-New Mexico) had an anti-tax stance as governor, which helped build support for the New Mexico lottery amendment. Thus, in 1994 New Mexico became the second state to successfully pass a lottery and designate a portion of the proceeds for college scholarships (Ness, 2008).

In regards to lotteries and public policy, diffusion provides insight into how states adopt lottery policies based on the design of such policies in neighboring states. Nelson and Mason (2007) noted that incremental diffusion, which is when a state alters and improves a borrowed policy, accounts for the model created in Georgia that sought to capitalize on the framework in Florida. When Florida established a lottery, revenue was used to replace funds originally provided by the state budget. In Georgia, lottery revenues generated would not be used to replace state funds for education but instead create a supplemental funding source in the education lottery trust fund that would be earmarked for new initiatives, which included HOPE scholarships, pre-kindergarten programs, and education infrastructure (Nelson & Mason, 2007). Thus, incremental diffusion continues as many states, especially in the southeastern region of the United States, have generally improved and adopted Georgia's HOPE scholarship merit aid model when forming lottery legislation.



Another development for states adopting lottery scholarships was to establish merit criteria for scholarship eligibility. Zell Miller (D-Georgia) proposed that students must “give” or perform well academically in order to receive tuition assistance (Seligman, Milford, O’Looney, & Ledbetter, 2004). Merit criteria do vary from state to state; however, most states require a “B” or “C” high school grade point average and/or a minimum score on a standardized test for eligibility (Arkansas Department of Higher Education, 2011; The College Foundation of West Virginia, 2009; Florida Department of Education, 2012; Kentucky Higher Education Assistance Authority, 2010; Oklahoma State Regents for Higher Education, 2012; South Carolina Commission on Higher Education, 2012; Tennessee Education Lottery Scholarship Program, 2011). A noted exception is the New Mexico Lottery Success Scholarship program, which deviates from the high school eligibility standards set in most merit aid programs. Instead, a student’s first semester college-level performance establishes eligibility (New Mexico Lottery Annual Report, 2011). While merit eligibility differs from state to state, each state has created a unique merit award system that differs slightly from neighboring states. For instance, Tennessee has five award levels; each accompanied with different requirements for eligibility (Tennessee Education Lottery Scholarship Program, 2011). Likewise, Kentucky provides scholarship based on academic performance in each year of high school rather than cumulative grade point average (Kentucky Higher Education Assistance Authority, 2010).

Additionally, policy innovation has taken place within three states that have created scholarship programs that have a need-based program or component, rather than scholarship based solely on merit. Ness and Noland (2004) noted that Tennessee created a merit aid program, referred to as HOPE, but also provided a supplemental award to include qualifying low-income and minority students, which is known as an Access Award. Meanwhile, Oklahoma’s Promise

scholarship program and North Carolina's Education Lottery Scholarship (ELS) program are the only lottery scholarship programs provided to those in financial need. While both programs vary in student eligibility requirements, both programs account for low-income status (College Foundation of North Carolina, 2013; Oklahoma State Regents for Higher Education, 2012). While these two states provide funding based on income limits, it should be reinforced that the most replicated system is based on merit rather than need.

Moreover, state lottery policies have devised education lottery trust funds that earmark money for several educational initiatives, namely for structural improvements for K-12, prekindergarten programs, and scholarships for higher education. This trend began in Florida when the state created an education trust fund that replaced money for education rather than supplementing the existing educational budget (Bobbitt, 2007). Nelson and Mason (2007) reported that Georgia was innovative with the education trust fund when it replicated Florida's education lottery, but used funds to supplement education rather than replace existing revenue streams. Georgia used lottery revenues to create new streams of funding for pre-kindergarten programs, educational construction, and higher education scholarships. This trend continued as other states, such as Arkansas, Oklahoma, South Carolina, and Tennessee, created education lottery trust funds. While education lottery trust funds generally divide revenues between common education and college scholarships, a noted exception is Arkansas, which dedicates all revenue generated to college scholarships.

Lottery scholarships have become a billion dollar business for higher education. According to the Georgia Student Finance Commission website (2012), from 1993-2011, program funds have been disbursed to 1,415,619 students, which have accumulated to nearly \$6.5 billion in program funds. While states vary on the specifics of lottery scholarship

legislation, it is clear that lotteries have provided additional revenues to promote public goals of higher education. While resistance has slowed down the process for adopting lottery legislation, the innovative trend of education lottery trust funds has shaped the public image to eventually help the public approve of lotteries. While Democratic leaders have championed these policies, states have been able to replicate similar scholarship programs with notable differences.

### **Arkansas Profile and Characteristics**

Arkansas legislators continuously set lottery legislation on the political agenda since the 1980s (Nelson & Mason, 2007). Proposals before the eventual passage of the lottery in 2008 were flawed by procedural aspects of the constitutional amendment process or through a joint proposal that would have called on the legislature to reverse a civil rights provision (Nelson & Mason, 2007). Additionally, religious opposition helped diminish the momentum for a lottery proposal.

Arkansas has an initiative process that allows citizens to circumvent the state legislature by giving them the right to gather signatures to propose a ballot measure for an election. A proposed constitutional amendment will go on a ballot if petitioners can gather valid signatures from at least 10% of the turnout in the most recent gubernatorial election (Nelson & Mason, 2007). In 1984, a petition from Doug Wood (D-Arkansas) failed to secure enough signatures to place a lottery amendment on the ballot even though polls demonstrated majority support for a lottery (Nelson & Mason, 2007). In 1990, Robert Walker gathered the needed signatures for a petition; however, he was later accused of submitting fraudulent signatures. Ultimately, the demise of the 1990 lottery initiative was an Arkansas State Supreme Court ruling that noted the ballot title was deceptive and misleading (Nelson & Mason, 2007).

Additionally, a referendum was considered in 1990 by the state legislature to place the lottery, with revenues earmarked for education, back on the ballot. The lottery lost traction, however, when a committee added a repeal of a civil rights-era amendment to the Arkansas constitution that required state officials to uphold segregation (Nelson & Mason, 2007).

Another initiative process was conducted in 1994 by the Arkansas First Committee, which would create a ballot measure for a state-run lottery to generate revenues for law enforcement and education (Nelson & Mason, 2007). Two other proposals were brought forth that year to legalize other forms of gambling, including casinos and charitable bingo; however, all three initiatives were stalled by litigation (Nelson & Mason, 2007).

Advocates of pari-mutuel, or horse racing, championed a 1996 endeavor. To broaden the political appeal, the Arkansas's Future Committee tried to place a constitutional amendment on the ballot that included the lottery, charitable bingo, and casinos (Nelson & Mason, 2007). Opponents, composed mainly of conservative Christian voters, again rallied against the measure and defeated it in the November election (Nelson & Mason, 2007).

With lottery legislation unable to gain momentum in the 1980s and 1990s, the state moved forward with an initiative to provide access to college students. Cohen-Vogel et al., (2008) noted that Arkansas was the first state to offer a scholarship program to state residents in 1991 with the Arkansas Academic Challenge Scholarship. Enacted with an income cap, the revenue source for this scholarship was tied to the general state budget, as the lottery was unconstitutional in the state at this time. This scholarship dramatically changed in 2009 when Arkansas became the 43<sup>rd</sup> state to implement a state lottery (Moore, 2009). Lieutenant Governor Bill Halter (D-Arkansas) was a catalyst for driving the change in the constitutional amendment passed by voters in 2008. Through a ballot initiative process, two-thirds of Arkansas voters

supported the constitutional amendment to establish a state lottery to fund college scholarships (Gambrell, 2008). Arkansas became the first state to direct all of the revenues generated from the lottery to college scholarships. The Arkansas Challenge Scholarship Program was redesigned and eligibility was based on merit to provide residents enrolled in Arkansas public and private nonprofit two-year and four-year colleges and universities with tuition assistance, regardless of their income.

The Academic Challenge Scholarship provides funding to cover tuition for any two-year or four-year institutions within Arkansas. The Arkansas Department of Higher Education (2011) noted that \$5,000 was originally awarded to students attending four-year institutions and \$2,500 was provided to those attending two-year colleges; however, amounts were changed during the second year, awarding \$4,500 for those attending four-year institutions and \$2,250 for two-year colleges. Stewart (2013) noted that award amounts were modified again in 2013 by the 89<sup>th</sup> General Assembly, which introduced a award scale that increased yearly with successful course completion and set amounts at \$2,000 for freshmen, \$3,000 for sophomores, \$4,000 for juniors, and \$5,000 for seniors, with the exception for students attending two-year institution which kept the award amount at \$2,000 for the first two years. Students may renew the Academic Challenge Scholarship for eight semesters while maintaining a 2.5 GPA and earning 30 credit hours per academic school year (Arkansas Department of Higher Education, 2011).

There are three student categories of eligibility criteria: traditional students, current achievers, and nontraditional students. It should be noted that priority for funding is provided to qualifying traditional students (Arkansas Department of Higher Education, 2011). The Arkansas Department of Higher Education (2011) reported that a traditional Arkansas high school graduate could earn a scholarship based on the completion of a smart core curriculum, which is composed

of courses that provide preparation for college including higher level math, natural sciences, and foreign language credits, with a high school grade point average of 2.5. A traditional student that did not complete the smart core curriculum can still receive a scholarship if the student makes a minimum of a 19 on the ACT or pass state mandated tests in algebra, geometry, and biology. To maintain the scholarship, a student must maintain a 2.5 GPA and complete 27 semester hours in the first year and 30 credit hours thereafter (Arkansas Department of Higher Education, 2011).

A current achiever is known as a full-time freshman that entered college within 12 months after high school graduation before the initial Academic Challenge Scholarship was expanded, which was in the 2010-2011 academic school year. Eligibility consists of maintaining a 2.5 GPA and the completion of 15 credit hours each consecutive semester. To maintain the scholarship, a student must maintain a 2.5 GPA and complete 15 hours each semester (Arkansas Department of Higher Education, 2011).

There are two ways students qualify for the nontraditional scholarship. First, a student must earn a college grade point average of 2.5 or score a minimum of a 19 on the ACT. A student can also earn a scholarship if the student graduated from an Arkansas public high school with a 2.5 GPA or received a minimum score of a 19 on the ACT. To maintain the scholarship, a student must maintain a 2.5 GPA and complete 15 hours each semester (Arkansas Department of Higher Education, 2011).

The scholarships have led to record enrollment in Arkansas colleges and universities (Ford, 2011). Wickline (2013) reported that over \$300 million has been raised for the Arkansas lottery scholarship program, which has resulted in scholarships for over 30,000 students each academic year. The Little Rock Examiner (2011) reported that 40% of students who received the

lottery scholarship in the first year failed to make the grades to continue funding for the next school year.

### **Summary**

This chapter discussed the social construction of target populations theory, examined existing research regarding lottery scholarship, and discussed state level characteristics. Prior research regarding the social construction of target populations has explored a variety of policies; however, higher education policy has not been researched in context of the social construction of target populations. This is important because states have replicated lottery policies to achieve public goals of higher education. This diffusion of lottery policy has targeted students of higher education to become the public goal of focus in 10 states. In some cases, state public goals have been to provide access. For other states, the goal has been to retain the best and the brightest students from leaving the state or to promote academic commitment. In any case, state lottery policies have targeted specific citizens in the policy design process. In the following section, I provide an overview of the methodology of this study, which seeks to understand how citizens were socially constructed in the Arkansas lottery policy design process.

## **CHAPTER III**

### **METHODOLOGY**

The purpose of this qualitative case study was to examine the Arkansas state lottery policy design process. Specifically, this study examined how policy actors in Arkansas socially constructed citizens while designing lottery legislation. Additionally, this study explored how the social constructions created in this process became embedded within the policy and then framed for the public. Thus, the previous review of literature regarding state lotteries and the policy design process provided a foundation for the following research questions:

1. How did policy actors from Arkansas socially construct citizens when designing the lottery scholarship policy?
2. How did the social construction of target populations become embedded in the policy design process?
3. How did the social construction of target populations become communicated to the public?

This chapter explains the research design for this study. I identify in this chapter the sample used to extract qualitative data, the data collection process, strategies to ensure trustworthiness, and data analysis techniques.

#### **Research Design**

A qualitative case study approach focused the current research project to examine the policy design process of a state lottery in Arkansas. Merriam (1998a) asserted that a qualitative case study research design should be used to explore a bounded system, such as a specific policy or group of people. Stake (1992) noted that the case study is appropriate for understanding complex phenomenon. Moreover, Yin (2009) asserted that the case study method should be utilized to help understand a real-life phenomenon in depth. Furthermore, while there are



various types of educational qualitative case studies, this study is a historical case study. Merriam (1998b) described the historical case study as a study that describes the analysis of historical or contemporary events resulting in a program or practice that influences the participants and educational institutions. Therefore, it is appropriate to apply a qualitative historical case study research design to this study because this is a specific lottery policy phenomenon that is limited to policy actors in Arkansas.

Furthermore, Miles and Huberman (1994) stated that the unit of analysis is the case. A case study approach is helpful because the study was limited to a specific group of people that were involved in a specific policy design process. Merriam (2009) discussed that a case study is a specified and identifiable unit, such as a program or policy. In this research study, the Arkansas lottery scholarship policy became the case to understand the policy design process. For that reason, the Arkansas lottery scholarship policy is the case, or unit of analysis. Additionally, Merriam (1998a) noted, "As the product of an investigation, a case study is an intensive, holistic description and analysis of a single entity, phenomenon, or social unit" (p. 34). The current study explored how Arkansas became the 43<sup>rd</sup> state to implement a state lottery in 2009 (Moore, 2009). The Arkansas Academic Challenge scholarship, which was originally created in 1991 to create access to college for students in financial need, was revamped when the lottery was implemented. Unlike other states that divide lottery revenue among higher education and K-12 programs, Arkansas is the only state to designate all funds generated by the lottery for higher education scholarships. Therefore, a unique case was selected for analysis. To better understand how recipients and lottery players were labeled in the policy design process in Arkansas, a historical case study design was useful to examine the social construction of target populations. A qualitative case study approach allowed me to provide a descriptive analysis of the policy

design process, which provided a basis for the interpretive analysis that follows. Merriam (2009) stated the interpretive analysis provides commentary to help form an understanding of the descriptions that have been discussed. This qualitative case study analysis provided a deeper context to the discourse, symbols, and descriptions surrounding the Arkansas lottery policy that focuses on students of higher education, lottery scholarship aid, lottery players, and access to higher education.

### **Sample and Participant Selection**

I utilized a purposeful sampling technique to select participants. Patton (1980) stated, “Purposeful sampling is used as a strategy when one wants to learn something and come to understand something about certain select cases without needing to generalize to all such cases” (p. 100). Purposeful sampling allows a researcher to identify a sample that has certain characteristics that allows for in-depth, detailed information about specific cases (Patton, 2002). Miles and Huberman (1994) noted that when using purposeful sampling, qualitative researchers should set boundaries as to participants that directly link the researcher to answer the desired research questions and can be studied within the limits of time and means.

Since this study’s focus was to understand the policy design process for the Arkansas lottery legislation, one way to set boundaries on participants was the implementation of a maximum variation strategy. Patton (2002) noted that a maximum variation strategy increases the diversity of a small sample by including participants that are related but derive from alternative backgrounds that allow a researcher to understand variations in the experience of a phenomenon. Patton (2002) stated, “any common patterns that emerge from great variation are of particular interest and value in capturing the core experiences and central, shared dimensions of a setting or phenomenon” (p. 235). This maximum variation strategy consisted of policy

actors that were instrumental in the policy design of the Arkansas lottery. Policy actors were recruited from two distinct categories: legislative members and interest group members.

Employing a maximum variation strategy, I recruited 19 participants in the current study; however, one participant was dropped from the study because the informed consent was never supplied. Therefore, I interviewed 18 participants that were either directly involved in the policy design process or were instrumental at informing policymakers in the development of the lottery policy. These interviews yielded crucial information regarding the policy design of the Arkansas state lottery and the social construction of target populations that were used in the process. First, I recruited members of the Arkansas legislature for interviews because state legislators have direct insight into the policy design process. Legislative participants consisted of four state senators, five state representative members, and one governmental staff member for Governor Beebe. Furthermore, the decision was made to include interest group members because they were involved with lottery policy discussions with the legislature. Interest group members consisted of members from the higher education community, a staff member of the Hope for Arkansas campaign, and a member from the retail community. The participants associated from the higher education community consisted of the former director of the Arkansas Department of Higher Education (ADHE), the former financial aid manager for the ADHE, a professional college association president, two members from the University of Arkansas System, and a former Vice Chancellor of University Relations at a regional institution. The other two interest group members consisted of a staff member that worked with the Hope for Arkansas campaign and a member from the retail community who was an executive vice president within a state retail association. Participant information is summarized below in Table 1.

Table 1

*Participant Summarization*

Policy Actor Role	Gender	Race/Ethnicity	Political Affiliation	Pseudonym
Former Senator	Male	White	Democrat	Bob
Former Senator	Male	White	Democrat	Jack
Former Senator	Male	White	Democrat	Paul
Senator	Male	White	Democrat	Mike
Former House of Representatives Member	Female	White	Democrat	Peggy
Former House of Representatives Member	Male	White	Democrat	Kyle
Former House of Representatives Member	Female	White	Democrat	Mary
Former House of Representatives Member	Male	White	Democrat	Nigel
Former House of Representatives Member	Female	African American	Democrat	Rebecca
Legislative Staff Member	Female	White	Democrat	Amy
Interest Group Member Higher Education Representative	Female	White	N/A	Jean
Interest Group Member Higher Education Representative	Female	African American	N/A	Maggie
Interest Group Member Higher Education Representative	Female	White	N/A	Kathy
Interest Group Member Higher Education Representative	Female	White	N/A	Jennifer
Interest Group Member Higher Education Representative	Male	White	N/A	Jason
Interest Group Member Higher Education Representative	Male	White	N/A	Donald

Interest Group Member Hope for Arkansas Staff Member	Male	White	Democrat	Kevin
Interest Group Member Retail Community Member	Female	White	N/A	Jessica

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To recruit the participants, I employed a combination of recruitment techniques. First, utilizing the aforementioned maximum variation strategy, I identified policy actors that had been tied to the lottery legislation by researching bill sponsors and referencing local newspaper articles from the time period in which this piece of legislation was discussed, which was from September 2007 to May 2009. Once these policy actors were identified, I solicited phone calls, sent a letter, or sent an e-mail (Appendix E) to recruit each participant for the study. I recruited 12 participants through this technique, which included all nine senators and representatives, the staff member for the Hope for Arkansas campaign, a member from the Arkansas Department of Higher Education, and a member from the retail community.

Additionally, I recruited six participants for the current study utilizing the snowball sampling technique, which allowed me to find further participants that were not identified from the original search for policy actors. Warren and Karner (2010) noted that the snowball sampling technique is useful to find participants that are socially networked to the researcher's initial contact. This method connected a participant to others within the state that dealt with this legislation. This technique was helpful because it allowed for an interviewee to personally connect another participant from his or her own social context to the researcher (Warren & Karner, 2010). Policy actors, which were recruited by the aforementioned search for bill sponsors or acknowledged within newspaper articles, identified these participants within his or her interview. I contacted these participants by phone call, letter, or e-mail (Appendix E) to recruit each participant for the study. These six additional participants derived from various

backgrounds including two members of the University of Arkansas system, a member of the governor's staff, a former Vice Chancellor of University Relations at a regional institution, an educational association president, and a former employee of the ADHE. With the 12 policy actors identified from bill sponsors or newspaper articles and the six policy actors identified from the snowball sampling technique, the final sample consisted of 18 policy actors.

Throughout the participant selection and interview process, I kept the identities of all participants confidential. I referred to all participants with a pseudonym and labeled their policy role within the transcription process. Demographic information was kept at a minimum and was based on either public or self-reported data. The participants of the study consisted of 16 White or Caucasian participants and two African Americans. The gender make-up of the participants divided evenly with nine male and nine female participants. Of the 18 participants, nine were legislators, and all but one was no longer in office. The legislative participants consisted of three former senators, one senator still in office, and five former representative members. All legislative participants were Democrats. Only two other participants revealed their political affiliation. Both the staff member for the Hope for Arkansas campaign and the governmental staff member for Governor Beebe were Democrats. The seven remaining participants either did not reveal their political affiliation or were not asked to self-identify this information. The remaining participants included two policy actors from ADHE, two participants from the University of Arkansas system, one policy actor that was a former Vice Chancellor of University Relations at a regional institution, a professional Arkansas college association president, and a member from the retail community.

## **Data Collection**

Merriam (1998b) noted that a historical case study involves the analysis of evidence from a variety of sources. The three primary qualitative data collection techniques that I utilized in this study were (a) interviews, (b) document analysis, and (c) journaling. These data collection techniques proved useful to provide findings for the qualitative case study and were conducted simultaneously.

### **Interviews**

I interviewed all participants within the study. After institutional review board (IRB) approval (Appendix F), I began conducting interviews. Interviews provided minimal or no risks to the participants. The interview period lasted four months. I scheduled interviews directly with participants with the exception of two participants in whom contact was made through an administrative staff member. I conducted interviews at the preferred time and location of participants. All participants agreed to allow interviews to be audio recorded. Additionally, during the interview I took notes of key phrases and general comments provided by the participant. Following the suggestions by Sunstein and Chiseri-Strater (2007), interviews were fully transcribed with accuracy by reviewing the audio-recorded interviews multiple times. After each interview, I began transcriptions immediately by reviewing the audio recordings and typing sentence by sentence the responses made by participants.

I conducted interviews in both face-to-face and over the phone settings. Face-to-face interviews were conducted with four participants and 14 participants were interviewed over the phone. Warren and Karner (2010) noted that face-to-face interview are advantageous because the nature of the interview might yield richer data than a phone interview, since phone interviews put the interviewer at a distance; however, phone interviews may provide a faster way to conduct

interviews. While the preference was to conduct face-to-face interviews, because of the varying distance of participants, phone interviews made it more convenient and faster to collect interviews. Participant interviews varied by length with the longest interview lasting one hour and 22 minutes and the shortest interview ending after 27 minutes. The average amount of time spent with interviewees was 49 minutes. To protect the participants, I did not record any identities on transcriptions. Instead, I referred to participants by pseudonym and policy role.

After providing informed consent, I followed a standardized open-ended interview protocol for the legislator participants and a similar protocol was followed for interest group members. Creswell (1994) noted that an interview protocol consists of key research questions, with relevant probes that are asked of each participant to explore consistent themes within the interview. Patton (1980) asserted that the standardized open-ended protocol is highly focused and questions are determined before the interview begins. There were 12 open-ended questions, with relevant probes, I asked of each participant to record and observe answers relating to the policy design process of the Arkansas lottery legislation (see Appendices A and B). Following a standardized open-ended interview protocol allowed for consistency in the questions posed to the participants and guided the participants to provide answers related to the research questions; however, the protocol allowed for flexibility as I modified questions within the interview as needed.

Using the theory of the social construction of target populations as a guide, I designed interview questions aimed at exposing how citizens had been framed in the policy design of the Arkansas lottery. The first two questions not only provided a historical perspective of the lottery legislation in Arkansas to gain a narrative of lottery legislation attempts prior to the passage of the bill in 2009, they were also the least invasive, which was designed to ease the participants



into the interview format (Creswell, 2008). These narratives provided specific explanations of how support for this bill was different from past lottery attempts. Therefore, the first two questions were as follows:

- Can you tell me about the first time the lottery legislation came up while you were in office (For interest group members, this question was rephrased to ask: Can you tell me about the first time you heard about the lottery legislation)?
- Why did the lottery legislation finally pass in 2008?

The next four questions directly related to the first research question: How did legislators from Arkansas socially construct citizens when designing the lottery scholarship policy? The answers to these questions were helpful in analyzing the social constructions that were created in the policy design process. Members of the state legislature answered the following questions:

- How did you all decide who would benefit from the lottery revenues?
- Describe the type of student that was discussed as a beneficiary of the scholarship during the policy process.
- How did you discuss who would participate in the lottery?
- Tell me about your experience with lobbyists regarding this legislation.

Likewise, interest group members received similar questions to help guide the answers for first research question. They were as follows:

- How did you all discuss with the legislators who would benefit from the lottery revenues?
- Describe the type of student that was discussed as a beneficiary of the scholarship during the policy process.
- How did you discuss who would participate in the lottery?
- Tell me about your experience informing other policy actors of this legislation.

The second research question asked: How did the social construction of target populations become embedded in the policy design process? While some of the answers to the previous set of questions were useful in answering this research question, several questions on the interview protocol were framed to provide additional guidance. The answers to these questions provided commentary on the specific issues pertaining to the policy design process.

- Can you tell me how you talked about the lottery legislation with colleagues? Constituents? The Governor? (Likewise, interest group members were asked how they talked about the lottery legislation with members of the Arkansas legislature)
- Can you tell me about the negotiation process that occurred during the development of the legislation?
- What sources of information were most influential when discussing the design of the lottery legislation?

The final research question asked: How did the social construction of target populations become communicated to the public? Two questions specifically addressed this research question in which the answers revealed how social construction continued to be carried out from the policy design into the public sphere and focused on the promotion of the lottery policy.

- Can you tell me how you talked about the lottery legislation with constituents?
- What type of pressures did you experience from your constituents during the lottery policy design process?

The interview protocols were field tested by a three-person panel that consisted of qualitative researchers, which reviewed all questions from the interview protocols. This panel consisted of a peer debriefer and two graduate students, all of whom were well versed in qualitative methods. After this review, minor changes were made to three of the probing

questions. For a complete view of the final protocol questions, please refer to appendices A and B.

### **Document Analysis**

Document analysis provided useful data that offered a deeper context to the time and setting of the original discussions surrounding the lottery legislation. Marshall and Rossman (2011) asserted that the analysis of documents have the potential of providing rich insight into the values and beliefs of participants involved in the research, in this case the lottery legislation. Additionally, Lincoln and Guba (1985) noted that the inclusion of documents and records are usually free or available at a low cost to the researcher, provides a source of stable information, and are grounded in the original setting of the phenomenon.

All of the documents analyzed in the current study took place over a four-month period and I selected the documents from the time period that the legislation was brought before the Arkansas citizenry. There were 14 primary documents analyzed for this study, which derived from various sources. Public documents included the actual legislative bills, the legislative act, legislative committee meeting minutes, government policy reports, a memorandum, and initial lottery scholarship program information. Primary sources were located either through public searches on the Internet, through such websites as the Arkansas Lottery Commission, the Arkansas state legislature, and the Arkansas Department of Higher Education, or through the help of the Arkansas Department of Higher Education and the Arkansas Bureau of Legislative Research. Additionally, I received one private document by e-mail from a participant, which was a 2010 report from the Arkansas Department of Higher Education to the legislature that compared the lottery scholarship awards and lottery ticket sales by county. While I hoped to

review transcripts from floor debates as sources of primary documents, the Bureau of Legislative Research confirmed that minutes and transcripts were not kept and therefore unavailable.

To deepen the analysis from the primary documents, I also reviewed secondary documents, such as local and national newspaper articles, advertisements, and opinion columns. Secondary documents were retrieved by utilizing a search in the Newsbank database, which consisted of electronic newspaper articles from Arkansas. I analyzed 72 secondary documents within the current study. With the addition of the 14 primary documents, a total of 86 documents were reviewed. Document analysis not only broadened the perspective about the lottery policy design process, it also provided validation for the data captured from the personal interviews and provided a more complete picture of the policy process (Patton, 2002). Finally, I collected and analyzed these data simultaneously with the interview process. Table 2 provides a summary of the primary and secondary documents that were utilized within this study.

Table 2

*Documents Analyzed*

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Primary Documents Analyzed

Speaker of the House Memorandum: Executive Summary of Draft Lottery Bill

Senate Bill 26

House Bill 1002

Act 606: The Arkansas Lottery Scholarship Lottery Act

Senate Committee on State Agencies and Governmental Affairs: Proposed Lottery Legislation Minutes

Arkansas Lottery Commission Legislative Oversight Committee Minutes (four meetings)

Arkansas Lottery Outline, May 4, 2009

Lottery Scholarship Presentation PowerPoint, February 27, 2009

Arkansas Lottery Commission Website

Arkansas Department of Higher Education: Comparison of scholarship awards and lottery ticket sales by county report, 2010

Arkansas Department of Higher Education Website-Academic Challenge Webpage

#### Secondary Documents Analyzed

*Arkansas Democrat-Gazette*: 29 news articles; one editorial

*Arkansas Times*: Two news articles; three editorials; one guest column by Lt. Governor Bill Halter (D-Arkansas)

*Banner News*: One editorial

*Benton Courier*: One editorial; one lottery advertisement

*Benton County Daily Record*: One editorial articles; one guest column by Lt. Governor Bill Halter (D-Arkansas)

*The Courier*: One news article

*The Daily Citizen*: One opinion article

*The Daily World*: One news article

*El Dorado News*: Three news articles

*Hot Springs Village Voice*: One news article

*The Jonesboro Sun*: One news article

*The Morning News of Northwest Arkansas*: Nine news articles

*Northwest Arkansas Times*: One news article; two opinion articles

*Pine Bluff Commercial*: One news article; one guest column by Lt. Governor Bill Halter (D-Arkansas)

*The Sentinel-Record*: One news article; one guest column by Lt. Governor Bill Halter (D-Arkansas)

*The Stuggart Daily Leader*: One news article

*Southwest Times Record*: Five news articles

*The Times*: One news article

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## **Journaling**

I took extensive field notes throughout the interview and document analysis process, which proved useful for triangulation purposes. Marshall and Rossman (2011) noted that journal writing allows for a researcher to (a) write notes about the research setting, questions, answers, and participants, (b) reassess roles, and (c) question the directions of the research. Sunstein and Chiseri-Strater (2007) discussed that journaling allows for the perspective of the researcher to be written down during the field experience. Therefore, journaling took place during the data collection process. These journals were analyzed simultaneously with both interview and document data.

## **Establishing Trustworthiness**

This study relied on reconstructions of the policy design process of the Arkansas lottery legislation. In order to build credibility with data and analysis, I engaged in several activities to establish trustworthiness that this study's findings and interpretations are worthy of confidence for the reader. Lincoln and Guba (1985) noted that the reader of a qualitative study must find the research or evaluation of a policy analysis trustworthy in order to inform or formulate future policy. Therefore, this study incorporated four techniques to provide trustworthy findings to the audience, which included triangulation, peer debriefing, member checking, and the audit trail.

## **Triangulation**

Patton (1980) noted that triangulation combines different methodologies to study the same phenomenon. Guba and Lincoln (1981) asserted that triangulation provides verification on the accuracy of specific data items by comparing a variety of sources. Thus, the triangulation process allows multiple perspectives to emerge on the same case study (Guba & Lincoln, 1981).

In order to implement a triangulation strategy, I interviewed a variety of participants from various aspects of the policy design process, including legislative participants, members of the higher education community, and other interest group members. These various voices provided an ability to triangulate the findings from the interview process.

Additionally, document analysis was useful to verify interview data. Dising (1972) referred to this strategy as contextual validation, which is a comparison of various sources that all relate to the same point. Contextual validation may also lead to the evaluation that a source is inconsistent, which allows the researcher to “correct” the information which is in conflict by verifying the inconsistent information (Lincoln & Guba, 1985, p. 306). The triangulation process for this study included the analysis of participant interviews, document analysis, and personal journals.

## **Peer Debriefing**

The second technique, peer debriefing, also established credibility. I invited a peer, who was an academic colleague that utilizes qualitative analysis in her research, to discuss the analytical process through this technique. Lincoln and Guba (1985) noted several reasons why a qualitative researcher should use peer debriefing, such as keeping the researcher “honest” with the exposure of a protagonist (p. 308). This technique allowed me to discuss with a peer the

emerging themes from data collection, further the methodological design, and provide catharsis (Lincoln & Guba, 1985). As the data were collected and analyzed, a peer debriefer kept me thinking about the data by playing devil's advocate on emerging themes. This helped me to not make conclusions too quickly and to re-examine the data from an outside perspective.

### **Member Checks**

Additionally, member checks were a useful technique to establish credibility. Lincoln and Guba (1985) asserted that member checking provides a judgment of overall credibility of the constructions identified from the interview data. This technique tests data interpretations and conclusions with the participants in which data were originally collected by allowing participants to assess the overall adequacy of the data analysis. In this study, participants were asked to review transcripts and examine them for accuracy. Additionally, participants were asked to account for the preliminary findings by reviewing the emerging themes derived from the coding process. Participants were e-mailed a copy of their transcript within two weeks after the completion of the interview. If the participant had not provided feedback after a week, a second request for transcript review was sent to the participant. Minor word changes were made by three of the interview participants; seven participants approved the transcript without changes; eight participants never responded to either request. In regards to the preliminary findings, all participants were e-mailed a short summary of the findings for each research question. After two weeks, a second request to review the preliminary findings was e-mailed to participants that had not responded. Fourteen participants responded, with eight approving the findings without any changes; five participants noted minor changes to words and/or added additional notes about the experience; one participant provided extensive notes and disagreed with the word choice for one finding; four participants did not respond to either request. The participant that disagreed with



the word choice did discuss the finding via e-mail and stated, “your explanation is correct but I would never say we were ‘guilt free’”. This particular word choice was also identified by three of the other participants as bothersome. After much reflection, the word choice was revised and resubmitted to participants. Thirteen of the participants responded to the word change request and approved of the change.

### **Audit Trail**

Finally, I kept an audit trail of all the raw data collected within the study including data from interviews, document analysis, and field notes, along with a detailed description of the steps followed in the analysis. Lincoln and Guba (1985) noted that the audit trail allows an outside researcher to metaphorically audit both the research process and product to attest to the dependability of the study. Several binders were developed that contained my audit trail consisting of records that included the research questions, methodological choices, theoretical framework, transcriptions, documents, journals, findings, and conclusions.

By utilizing the techniques of triangulation, peer debriefing, member checks, and an audit trail, I was able to establish that the study’s findings were credible and dependable. Therefore, I draw the conclusion that the findings within the study are trustworthy.

### **Researcher Perspective**

My interest in this topic resulted from a class project in my first semester of graduate school. The class was asked to present a topic related to a relevant higher education issue. My partner and I chose the Arkansas lottery because it was the first semester that students actually received scholarship funds. The policy aspect of the lottery was intriguing. I immersed myself in the literature related to higher education and lottery policies. Additionally, I used this topic for several position papers throughout my graduate courses.

As a qualitative researcher, I was the source of data collection and analysis. I have never been involved in the lottery design process nor have I been a constituent in Arkansas, therefore, I have not received any benefits of this lottery scholarship. I do not believe in playing the lottery because lotteries, while generating funds for public goals, disproportionately burden the poor (Dynarski, 2000; Heller & Marin, 2002; 2004; McCrary & Condrey, 2003). Simply put, I do not believe in supporting a regressive revenue structure. I bracketed these perceptions by setting aside my bias so that it did not influence the data collection process. I wanted the participants to freely speak about the subject and I phrased the interview protocol as to not lead any of them. Additionally, probing questions were neutral. In regards to document analysis, all primary and secondary documents were considered as part of the research project. None were excluded because of biases that I might have.

### **Data Analysis**

This qualitative case study relied on interview data from participants who have been immersed in the phenomenon, document analysis, and journals. Sunstein and Chiseri-Strater (2007) noted the importance of qualitative interview data by stating, “You need your informants’ actual words to support your findings” (p. 253). This means that a researcher has a responsibility to uncover the perspectives of those involved in the phenomenon being studied, rather than relying on one’s own point of view. Likewise, Lincoln and Guba (1985) suggested reviewing interview transcripts simultaneously with document analysis through the constant comparative method, which allows the findings to be grounded in the data, which are rich in the context of the phenomenon, rather than the researcher’s own perspective of the events.

The transcriptions, document analysis, and journals are the same kind of data because they are based on words. This allowed me to code the qualitative data and identify themes.

Glaser and Strauss (1967) asserted that the constant comparative method is used in qualitative research to code the data by the researcher through categorizing narratives by themes, either by the language or general data from the interviews. This allows a comparison to evolve into an emerging property for each theme (Glaser & Strauss, 1967). In this study, the constant comparative method was utilized to identify themes among the participant interviews, documents, and journals, allowing for a thorough examination of the Arkansas lottery policy design process.

The analysis of data through the constant comparative method followed three systematic steps. First, I coded interview data, documents, and journals to define categories, or units of information, through comparison. Miles and Huberman (1994) noted that codes are analysis and provide meaning to the information gathered by a researcher. Lincoln and Guba (1985) stated that units should be heuristic, or provide understanding for the inquirer, and the unit must stand-alone as the smallest amount of information about the specific research topic. A category linked interview responses and concepts within documents and journals that related to the same idea, concept, or content. Once a category was defined, I made a color-coded electronic file of the specific category. As interviews were transcribed, individual units of information from the data were copied and pasted to correspond with the code in the electronic category file. Electronic versions of documents were also pasted into an electronic file. As suggested by Lincoln and Guba (1985), categories were coded to include the particular interview in which the unit was drawn (including the participant pseudonym on the transcript or newspaper title and date).

The next step of the constant comparative analysis integrated categories and defined their properties. Glaser and Strauss (1967) noted that this step allows the researcher to define the rules of the category by developing links between the relationships used to classify the data.

Thus, this step begins to provide an explanatory theory for the researcher (Lincoln & Guba, 1985). This step allowed me to narrow the category by specifying exactly what the category would entail. Thus, the data contained in a category were re-examined to ensure that it was consistent with the defined properties. This step resulted in some data being removed from a category.

As more data were processed, the delimiting the theory step of data analysis took place. In this step, fewer modifications were made in the categories. Lincoln and Guba (1985) acknowledged that categories are better articulated in this step and become saturated. Creswell (2008) noted that saturation exists when all major themes are identified and “no new information can add to your list of themes” (p. 257). Data analysis is now a focused activity on expending time within the defined categories (Glaser & Strauss, 1967).

The final step of the constant comparative method was writing up the findings. Lincoln and Guba (1985) asserted that the qualitative case study allows a reader to understand a policy, research finding, or judgment better by providing a detailed report of a specific circumstance.

### **Summary**

This study employed a qualitative case study to examine the policy design process for the Arkansas state lottery. This chapter described the research design that was used to answer the research questions. This chapter specifically outlined the sample and participants chosen to address the research questions. Additionally, this chapter provided the data collection techniques that were used along with different techniques to build trustworthiness. This chapter ended by providing insight into the data analysis process. In the following chapter, I reveal the findings for this study.

## CHAPTER IV

### FINDINGS

The purpose of this qualitative case study was to examine the Arkansas state lottery policy design process. Specifically, this study examined how policy actors in Arkansas socially constructed citizens while designing lottery legislation. Additionally, this study explored how the social constructions created in this process became embedded within the policy and framed for the public. Thus, the research questions that guided this study were:

1. How did policy actors from Arkansas socially construct citizens when designing the lottery scholarship policy?
2. How did the social construction of target populations become embedded in the policy design process?
3. How did the social construction of target populations become communicated to the public?

This chapter briefly explains the data collection and analysis methods used to conduct this research study. This is followed with a report of the findings, which is presented in two sections. The first section provides a descriptive analysis with a “complete, literal description of the incident or entity being investigated” (Merriam, 2009, p. 43). Therefore, this section is a detailed overview of the policy design process of the Arkansas lottery including the development of the initiated act that led to the public vote and the actions of the Arkansas General Assembly to enact the lottery legislation. The descriptive analysis is followed by the interpretive analysis. As noted by Patton (2002), interpretation “involves explaining the findings, answering the ‘why’ questions, attaching significance to particular results, and putting patterns into an analytic framework” (p. 438). Thus, the interpretive theme analysis presents the findings in relation to the emerging themes as guided by the research questions.

### **Data Collection**

I chose a qualitative historical case study approach to examine the policy design process of a state lottery in Arkansas. Merriam (1998b) referred to this type of case study as the analysis of events leading to a program or practice that influences the participants and educational institutions. In this instance, the lottery scholarship policy became the case to understand the policy design process. To investigate this policy design process, I collected three types of data, which included interviews, documents, and personal journals.

I recruited 19 participants in the current study; however, one participant from the former lieutenant governor's staff had to be dropped because the participant's informed consent was never received. Therefore, the final sample consisted of 18 participants with various policy roles, including three former state senators, a senator still in office, five former state representative members, a member of the governor's staff, a member from the retail community, two employees of the Arkansas Department of Higher Education, the president of an Arkansas college association, two University of Arkansas System Vice Chancellors, an institutional liaison for a regional institution, and a staff member for the Hope For Arkansas initiative campaign. Legislative participants were selected because their name appeared as a bill sponsor on the lottery legislation. Other policy actors were identified either by a snowball technique, which allowed participants to identify other key policy actors, or through document analysis. Interviews took place over a 15-week period with the first interview being conducted on February 13, 2013 and the last interview concluding on May 30, 2013.

I interviewed all participants following an interview protocol that included 12 open-ended questions with relevant probes (Appendices A and B). Additionally, I recorded and fully transcribed each interview, keeping the identities of all participants confidential by assigning a

pseudonym. Each participant received a copy of the transcription by e-mail and was asked to check the transcript for accuracy. Two participants made minor changes to the text while seven approved the transcript without any changes. Eight participants did not reply within the timeframe.

Additionally, documents from the period that the legislation was brought before the Arkansas citizenry were analyzed. The 14 primary documents analyzed for this research derived from actual legislative bills, legislative committee meeting minutes, a memorandum from the speaker of the house, and initial lottery scholarship program information. Secondary documents included a review of 72 local and national newspaper articles, advertisements, and opinion columns. The collection of the primary and secondary documents was conducted simultaneously with the interview process and was analyzed during the same time as the interview transcriptions. Finally, document analysis provided validation for the data captured from the personal interviews.

The final piece of data collected for this study included my personal journals taken during and after my participant interviews. My journals were reviewed continuously through the interview transcription and document analysis process.

### **Data Analysis**

This historical case study relied on various types of qualitative data, including interview data from participants who have been immersed in the phenomenon, document analysis, and journals. I reviewed all data for both a descriptive categorization, which focused on describing the policy design process of the Arkansas lottery, and an interpretive categorization, which utilized the constant comparative method to allow the findings to emerge from the data (Glaser & Strauss, 1967).

The first step of data analysis was to fully transcribe each participant interview. Once I completed transcribing all interviews, all transcriptions, documents, and personal journals were analyzed to build both a description of the phenomenon and to code the data for emerging themes. The coded data about the lottery became small units that were able to stand-alone (Lincoln & Guba, 1985). After reviewing transcriptions, documents, and personal journals, I created color-coded electronic categories that linked the data relating to the same idea, concept, or content. After the categorization of data was complete, I re-examined each category to develop a better understanding of the relationships created within the data. As a result, I occasionally moved data to either an existing category or created an entirely new category. This process resulted in very defined categories and became saturated (Lincoln & Guba, 1985). In the final step, I interpreted the identified categories by theme. This step provided the major findings that are outlined below. First, the findings are presented as a descriptive analysis, which provides a detailed account of the policy design process including the development of the initiated act that led to the public vote and the actions of the Arkansas General Assembly to enact the lottery legislation. The descriptive analysis is followed by the interpretive analysis, which presents the findings in relation to the emerging themes as guided by the research questions.

### **The Policy Design Process of the Arkansas Lottery**

Lotteries had been prohibited in Arkansas since 1874; however, the lottery topic was an issue that the Arkansas legislature continuously revisited on the General Assembly's agenda (Wickline, 2007a). Previous lottery attempts failed to gain enough support from the voting public in 1996 and 2000, which both included much broader forms of gambling with the addition of casinos. The failure of these previous lottery attempts connects with the conservative values held within the state that deem gambling as a societal and moral ill. Therefore, when lottery



proposals were once again brought up through the legislature, lawmakers, reflecting constituents conservative will in the past, shot down lottery proposals (Wickline, 2007a). The lottery issue again gained little support in 2007 when Lieutenant Governor Bill Halter (D-Arkansas) tried working with the 85<sup>th</sup> legislature to put a lottery referendum on the ballot in which net proceeds would support college scholarships. DeMillo (2007) reported, “his most high-profile initiative as lieutenant governor during this year's legislative session was an unsuccessful attempt to put a lottery before the state's voters” (p. 20). Bob, a legislative participant, reiterated this by stating “There was never a desire by the general assembly. The general assembly get three constitutional amendments they can refer out. And there was never really a desire that one of those been a lottery.” While the legislature did not refer the lottery issue to a public vote, Lt. Governor Halter (D-Arkansas) worked on bringing a lottery vote to the people without the support of the legislature.

In order to circumvent the legislature, Lt. Governor Halter (D-Arkansas) used an initiative process that allowed him to engage in a petition drive to get the proposal on the ballot. The lottery became the Lt. Governor's personal project and the lottery may have been a tool in the Lt. Governor's political agenda. Kyle, a legislative participant, recalled:

He pretty well took that and did it himself, Mr. Halter that is. There really wasn't anybody else, much to my knowledge, much involved in that. I think he had an individual that financed it. They went out and hired people to collect signatures. He literally raised enough money to go out there and get it on the ballot. I would support it but I wasn't really involved in the process. I don't think there were any members of the legislature that were involved in the process. He just kind of took it and ran with it after that.

As Blomeley (2008) noted, the initiated act allowed the voters to decide the fate of the scholarship lottery without the legislature holding it back. The initiated act also authorized the general assembly with the task of creating a lottery to finance college scholarships and establishing the criteria for scholarships with Halter (D-Arkansas) stating, “the legislature will

flesh out the details and that's the way lotteries have been created in other states” (Wickline, 2007c, p. 22).

In order to qualify the initiative act for the November 4, 2008 election, the Lt. Governor organized a petition drive that had to gather at least 77,468 signatures, which is based on 10% of the votes cast in the last gubernatorial election, by July 7, 2008 (Lyon, 2007). Kevin, a lottery campaign interest group participant, recalled:

The process, of course, is you engage a professional team. There are companies that do that. I was surprised to learn more about that aspect because it's a very street level, cash in your hand kind of business. The company is hired to get the number of petition signatures that you need. They set up in an office usually in a lower income part of town. They solicit petition workers to take these pages and stand on the corners, visible and crowded places, and get people to sign. They get paid per signature. But in the end, because of the logic of the campaign, because of the clarity of the message, the willingness of the state to embrace it, we got the numbers.

With the petition drive well underway by January 2008, Lt. Governor Halter (D-Arkansas) began a formal lottery campaign with education as the prime selling point. For instance, DeMillo (2007) mentioned that the lottery campaign was modeled after the Georgia Hope scholarship, even using the same term, “Hope”, within the campaign. Therefore, the lottery campaign became known as “Hope for Arkansas”, which proudly claimed the same opportunity for Arkansans as the Hope scholarship provided for residents in Georgia. Blomeley (2008) noted that Halter (D-Arkansas) stated, "what this is really about in my mind is hope. What this is really about in my mind is education. I wouldn't be pushing this proposal if the proceeds wouldn't go toward college scholarships” (p. 13). The Lt. Governor campaigned on the idea that education was a public good, focusing primarily on the low number of residents with degrees. For instance, Page (2008) noted:

The state is one of the lowest in per capita income as well as educational achievement and Halter said that educational achievement and per capita income were linked - one affecting the other. "No state that has high educational achievement has low per capita

income," said Halter. "We must improve the percentage of college grads to improve per capita income." Arkansas holds the No. 49 spot and West Virginia follows at No. 50 in per capita income. (p. A3)

This aspect of the campaign had important implications for the formal policy design process in the state legislature because once the lottery amendment passed, the legislature had to complete the will of the people, which was to create a lottery for the sole purpose of financing college scholarships.

Moreover, as the Lt. Governor continued to push the initiative across the state, education was not the only argument presented to the people. A different talking point was the influence of lotteries in the surrounding states. Prior to the implementation of the Arkansas lottery, five of the six neighboring states had implemented lotteries. Arkansans were driving across the border to purchase tickets and funding various initiatives including higher education scholarships for those states (Wickline, 2007b). Halter (D-Arkansas; 2008) commented,

Evidence to the contrary is in plain sight. Count the Arkansas tags on vehicles parked outside the Stateline Citgo in Texarkana, Texas; or Mr. T's Liquor Store in Cardwell, Mo.; or Freddy's One Stop in Roland, Okla. These retailers, just across the Arkansas border, are the top lottery retailers in their respective states. Tens of thousands of Arkansans spend millions on state lotteries every year. Audiences at civic clubs and community forums from Texarkana to Fort Smith to Springdale have witnessed the outbound flow of traffic and revenue. They appreciate the need to keep Arkansas money in Arkansas, working for public education here at home. (para. 4)

The messages of the Hope for Arkansas campaign were clear. This lottery would keep money already being spent on lotteries in the state to support the public good of education, specifically scholarships for students of higher education.

Opposition for the Hope for Arkansas lottery campaign was met from several religious groups, including the United Methodists and Southern Baptist, and the Arkansas Family Council. Jerry Cox, the Arkansas Family Council President, was the opposition's primary voice during the campaign. Cox supported the conservative view of the legislature and said that by blocking the

lottery from a public vote they “understand it moves the role of state government from that being the protector of the poor to being a predator on the poor by encouraging them to gamble their little bit of money under the false hope that somehow they might win the lottery” (Moritz, 2008, para. 12). This argument, that primarily the poor fund the lottery, was the major message sent through the press by the opposition during the lottery campaign. Take for instance the message from pastor Larry Page as he spoke to a Baptist church in North Little Rock: "A government is supposed to be a guardian of its weakest people, but the lottery makes it an economic predator, and those are mutually exclusive roles" (Hahn, 2008, p. 16). Typically, each organization would state they were for education and the potential to increase scholarships, but not by a state lottery. Hahn (2008) noted, “Page said he supports efforts to fund more college scholarships for Arkansans, as the lottery aims to do, but ‘the cost is too high’” (p. 16).

While opposition focused on funding the lottery from primarily low-income players, Bud Jackson, with the Hope for Arkansas campaign, refuted this argument by citing a non-specific 2001 Texas study. A local paper reported,

Hope for Arkansas ' study disputed that argument, citing research such as a 2001 Texas study which found those with the lowest levels of education and income were the least likely to play the Texas Lottery. Comparing lottery spending in terms of percentage of income is “a red herring,” Jackson said. “Lower-income people spend a larger percentage of their income on everything,” he said. (Lyon, 2008, para. 12)

Meanwhile, the Hope for Arkansas campaign was gaining support across Arkansas. The first major group to come out in support was the Arkansas American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) labor union, followed by the Arkansas Oil Marketers Association. An executive vice president of the Arkansas Oil Marketers Association stated that Arkansas was losing the business of “thousands of Arkansas customers and millions in sales to lottery retailers in the five surrounding states that have lotteries and the state is losing

tax revenue. The proposed lottery would keep these dollars in Arkansas” (Arkansas Democrat-Gazette, 2008, p. 12). Additionally, support for the lottery campaign was gained by a headline-grabbing group of mayors and judges:

The mayors of 18 cities throughout Arkansas and the county judges in 13 counties, mostly on the borders of states that already have lotteries, agreed to lend their names to the effort. Phillips County Judge Don Gentry said he's in favor because the proceeds would pay for college scholarships. “As far as trying to keep gambling away from the people, whether they're rich or poor they're going to gamble,” Gentry said. (Kellams, 2008, p. 12)

This emphasized how education became a selling point for the public to gain favor of supporting a lottery idea that was once voted down because of conservative values. Union County Judge Bobby Edmonds emphasized support for the lottery as he stated, “the selling fact for me is that the money goes to higher education and if Arkansas needs anything in the worst way, it's support for education” (Worthen, 2008, p. 1).

Lt. Governor Halter (D-Arkansas) announced on June 25, 2008 that over 135,000 signatures were collected for the lottery initiative. By August 2008, the petition was certified for the November ballot; however, the Arkansas Family Council filed a lawsuit in October stating that the term lottery was not well defined and could allow casino-style gambling within the state (Moritz, 2008). After the lawsuit was thrown out, Halter (D-Arkansas; 2008) stated as guest columnist to the Pine Bluff Commercial,

Unlike previous attempts to authorize a state lottery, Amendment 3 does not allow casinos. To be clear, this proposal has nothing to do with casino gambling. Amendment 3 calls for the Arkansas General Assembly to establish the criteria for scholarship eligibility. (p. 2)

The Lt. Governor continued to paint the picture that the lottery helps those in need with financing education. “The beneficiaries of the Scholarship Lottery will be Arkansas families who are struggling to save for their children's education while paying record prices for gas, food,

and health care” (Halter, 2008, p. 2).

On November 4, 2008, the majority of Arkansas voters supported the constitutional amendment that allowed the Arkansas General Assembly to create a lottery to fund higher education scholarship for Arkansans attending institutions within the state. Wickline (2008) reported that the measure was supported in every county and overall 562,208 residents supported the amendment, while 330,216 voted against the amendment.

The Arkansas legislature crafted the policy during the 87<sup>th</sup> legislature in 2009. Paul, a legislative participant, recalled, “the legislation in the senate went to the state agencies and affairs committee. It was unusual the way we handled this because since it was such an issue of interest the house and senate actually worked together jointly.” By February 9, 2009, Arkansas House Speaker, Robbie Wills (D-Conway), sent a memorandum to all members of the House of Representatives that outlined the first draft of the lottery. This draft stated that the legislative intent for the Arkansas lottery scholarship program was to “encourage associate degree students to complete a four-year degree” and “evaluate the state funding for all scholarships and grants annually” (Wills, 2009, Arkansas Scholarship Lottery Program section, para. 1). Additionally, this early lottery draft included several different scholarship and grant opportunities, including aid based on a 2.5 GPA or 19 ACT score, a transfer scholarship for students completing an associate’s degree, a grant for students admitted to programs in science and math, and an additional scholarship for students completing the smart core curriculum during high school (Wills, 2009, Arkansas Opportunity Scholarships and Grants section, para. 2). These scholarship opportunities dramatically changed by the time the policy was enacted.

Moreover, it should be noted that the Lt. Governor influenced the policy design even though members of the legislature did not want him involved. Mary, a legislative participant,

recalled,

He tried to be a legislator and I think finally we told him thank you Mr. Lt. Governor. This is great that you got it passed for the people, but to be perfectly honest we don't mean to hurt your feelings but you don't have a vote. You said in your constitutional amendment that the legislature would draft the rules, procedures, the policies, and the laws and it did not say in conjunction with the Lt. Governor, upon the approval of the Lt. Governor, or that the Lt. Governor has veto power. You said in your constitutional amendment that the legislature would do this so thank you but butt out of our business. That was pretty much the attitude of most of the people working on the legislation that he got way too much involved. He started dictating to us, calling people in, telling us it was going to be like this or I'm going to call a rally on the steps of the capital. At one point we just had to say you told us to do this and we are going to do this and you need to leave us alone. Now, to say he didn't have power and he didn't have influence because he would go to the press, yes, he did.

One way that the Lt. Governor used the press to keep his influence on the policy was to continue utilizing the Hope for Arkansas campaign to keep a pulse on what the citizenry wanted regarding scholarships. For instance, press releases from the campaign to the local press stated, "Seven in 10 Arkansas voters support awarding lottery scholarships based on students' academic achievement, specifically a 2.5 grade point average or higher, a statewide survey reports. Only 18 percent support awarding lottery-funded scholarships based solely on family income" (Brantley, 2009, News Release section, para. 2). Mary, a legislative participant, reiterated this by stating, "Politically we couldn't do anything because our Lt. Governor had the people on his side. We were stuck with that 2.5."

The senate committee on state agencies and governmental affairs had drafted a house bill by February 18, 2009. In this bill, the text stated that the lottery will "fund and provide for scholarships and grants to citizens of the State of Arkansas enrolled in public and private nonprofit two-year and four-year colleges and universities located within the state" (Senate Committee on State Agencies and Governmental Affairs, 2009, p. 1). While the previous memo from the speaker of the house outlined several scholarship and grant opportunities, this bill

addressed only one, which was modifying the Arkansas Academic Challenge Scholarship Program with the new stream of additional lottery funds. The revamped Academic Challenge Scholarship Program served a wider student population. Besides opening up the program for more traditional students, Wickline (2009) reported, “the legislation would allow nontraditional students who return to college after several years of work to become eligible for the scholarships” (p. 7).

The requirements from this first draft stayed intact throughout the policy design process. Requirements for the scholarship included a 2.5 GPA or a 19 on the ACT, completion of a smart core curriculum, graduate from an Arkansas high school, be a citizen of the United States, and remain drug free (Senate Committee on State Agencies and Governmental Affairs, 2009). The original draft included scholarship opportunities for two additional targeted groups, nursing students and teachers needed for subject and area shortages, which were later deleted from the lottery act.

As the policy was being designed, the Arkansas Lottery Commission Legislative Oversight Committee continued to work with the newly created Arkansas Lottery Commission, which was given the task of running the state lottery, to discuss the start-up of the lottery. According to the Arkansas Lottery Commission Legislative Oversight Committee (2009), a two-day work session at the University of Arkansas’ Winthrop Rockefeller Institute at Petit Jean Mountain brought in two out of state lottery directors to help the committee develop the lottery. Mary, a legislative member, noted,

We left the capital and we drove up there. In the meantime, somebody found out about it and they notified the press. I had assumed the press had already been notified. We were all chastised greatly for meeting in secret. The reason the speaker and the president pro tempore did that was because we would have these meetings at the capital and there were so many interruptions. Looking back on that, even though we took a lot of heat, it was probably the smartest thing we did because we stayed up there over night. We brought in



a consultant, who at the time was the South Carolina lottery director, Ernie Passailaigue. They hired him as a consultant and worked with us for two days and looked over our legislation. Picked it to pieces, told us what we were doing wrong. We spent two days on the mountaintop and when we left that mountain we had our legislation.

The Arkansas General Assembly completed the Arkansas Lottery Scholarship Act by the end of March 2009. In this final draft of the legislation, student scholarship aid was based on the broad requirements of a 2.5 GPA or a 19 Act score. While students were the beneficiaries of the lottery, the Act also noted that the Arkansas Department of Higher Education became the administrator for the scholarship program, which was the revised Academic Challenge Scholarship Program. The Act stated:

The General Assembly hereby recognizes that taking the proper coursework in high school is essential for success in college. Arkansas high school students who complete the recommended pre-collegiate or technical preparation core curriculum score significantly higher on standardized preadmission tests and are more likely to be successful in college. Because the State of Arkansas also benefits from the academic success of well-prepared college students, there is hereby established the Arkansas Academic Challenge Scholarship Program, a college scholarship plan to promote academic achievement and encourage academically prepared Arkansas high school graduates to enroll in the state's colleges and universities. (p. 71)

Initially, scholarship award amounts were provided to students at two levels: 5,000 dollars for students attending four-year institutions and 2,500 dollars for two-year institutions (Brantly, 2010). As legislation was finished by the end of the spring legislative session, the lottery was set up in record time. Davis and Oman (2009) reported that the ceremonial first lottery tickets were sold to the Arkansas Department of Higher Education director just after midnight on September 28, 2009.

### **Analysis of Themes**

I identified the themes of this study by analyzing the participant interview transcriptions, documents, and personal journals. These themes were then interpreted to answer the guiding research questions for the study and are summarized in Table 3 below. Regarding how citizens

were socially constructed within the policy design process by policy actors, the analysis identified the following: (a) students of higher education were identified as the primary beneficiaries of the lottery revenues, (b) typical players of the lottery were identified by the majority of participants as those composed primarily of low-income and minority citizens, and (c) retailers and vendors were also identified as being socially constructed as receiving benefits within the policy. In terms of how these social constructions became embedded in the policy design process, the following was identified through the analysis: (a) the Hope for Arkansas campaign that promoted the initiated act established many of the constructions within the policy, (b) student beneficiaries were focused into the policy design process by the modification of an existing scholarship program, (c) the focus on students of higher education within the policy design process developed competing goals for what this scholarship should accomplish within the policy, and (d) the retail and vendor community, while not the focus of the initiative act, had favorable benefits because of the role they played in order to run a state lottery. Finally, these social constructions became communicated to the public through two ways, which include (a) the messages sent to the public before the vote on the constitutional amendment, and (b) the internal discussions by policy actors that created the actual policy. The following table summarizes the major themes and provides subthemes:

Table 3

*Research Findings*

Research Question 1: How did policy actors from Arkansas socially construct citizens when designing the lottery scholarship policy?

Theme	Subtheme
Students Benefited Via Scholarships	Broad eligibility: 2.5 GPA or 19 ACT No income cap/national norm test required Served traditional and nontraditional students
Typical Players: Low Income Citizens	This population became burdened with paying

for the majority of scholarships  
Legislature freed of blame because people voted  
Gambling addiction

Retail and Vendors Benefited

Supplied lottery tickets, received commission,  
and contracts

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Research Question 2: How did the social construction of target populations become embedded in the policy design process?

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Theme	Subtheme
The initiated act developed constructions	Legislature had to fulfill promise approved by majority of the voters, therefore broad appeal was necessary
An existing program was modified	The state had a new funding source Easier than creating a new policy Eligibility criteria changed to broaden scholarship Continuous modification of award structure
Competing goals created for program	Degree completion Access provided
Favorable benefits for retailers/vendors	

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Research Question 3: How did the social construction of target populations become communicated to the public?

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Theme	Subtheme
The constitutional amendment sent messages	Education was a public good Neighboring states had lotteries
Internal discussions by policy actors	

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**Research Question One: How did policy actors from Arkansas socially construct citizens when designing the lottery scholarship policy?**

There were three ways that Arkansans were socially constructed by the design of the lottery policy. First, the lottery focused on students of higher education to benefit from the net proceeds in the form of lottery scholarships. Moreover, most participants noted that the typical

players of the lottery were most often described as players deriving from low income; however, lawmakers focused less on this issue because the majority of voters overwhelmingly supported this change in the constitution at the polls. Finally, retailers and vendors did benefit as a consequence of this policy because this allowed them to provide lottery services for the consumer.

**Student beneficiaries.** All participants noted that students were the primary beneficiaries of the net proceeds of the lottery because the constitutional amendment voted on by the public stated that scholarships would be provided as a result of the lottery's creation. Therefore, the constitutional amendment already focused on a targeted group, higher education students, to benefit from the policy. Mary, a legislative participant, noted, "Well, if you've read the constitutional amendment it's very specific and it says that the money that is raised by the lottery goes into scholarships." Additionally, Kyle, also a legislative participant, emphasized, "there are a number of states that have lotteries and all of them don't just go to higher education. Different states do different things with their lottery money, but ours was always aimed at higher education."

In order to fulfill the promises of the initiative campaign for residents, the legislature set broad scholarship eligibility. Maggie, a higher education interest group participant, said, "I mean legislators wanted to help everyone." Paul, a legislative participant, noted,

When you have a constitutional amendment, especially with legislators involved, it has to be fair and equal to the broadest base of participants possible in the most fiscally responsible kind of way. It goes a lot further than just giving a scholarship from some other arena than just your 4.0 kinds of people. This allows people that never had access to any kind of scholarship money at all to suddenly be able to participate. For that reason, it was important for a participatory base to be as broad as possible but at the same time as responsibly defined as possible. That brings back to the lower grade point average and lower ACT score.

In order to design a broad policy, eligibility criteria were heavily debated; however, the

legislature decided on a 2.5 GPA or a 19 ACT score. Mary, a legislative participant, had this view:

Finally at the end of the day, I think we all decided we were going to be stuck with that 2.5 and that 19 on the ACT even though research showed that was an absolute recipe for failure, but we did it. It was trying to reach that student that had never been reached before. We went down to that level and I say down because it was less of an academic rigor then we had ever had on any scholarship.

However, the general feeling from participants was that the 2.5 GPA was a good way to broaden opportunity for all students. Kyle, a legislative participant, stated,

Again, trying to make it broad based where almost anyone that was interested in going to college that could at all do the work, that's why we put the 2.5 grade point. If they were willing to do that, if they could do that, we were trying to make sure that everybody coming out of high school had a chance to go to college.

With establishing a broad policy, participants cited a variety of students that would be eligible that had been neglected from state scholarships in the past. For instance, the policy was broad enough to ensure that first generation college students would qualify. Nigel, a legislative participant, stated that the scholarship serviced “that segment of the population that many times, as I have said earlier, no one in their family has ever gone to college. It would give that student that had met the requirements an opportunity.” For many, the type of student discussed in the interview was the average student. Rebecca, a legislative participant, stated, “we were trying to open it up to as many students, like I said, the average student who could be a good C+ overall.” Many also noted that the criteria opened the scholarship up to students deriving from a low-income family. Jennifer, an interest group participant from higher education, described it this way:

We wanted to make sure there was access to the lower performing students, which was generally a minority group of students. So it was really important in the process to be considerate of how those students perform and their accessibility for being able to use that scholarship or qualify for that scholarship. That was definitely taken into consideration when looking at GPA. When you are talking about first generation

students, minority, low income, you know all those things are stacked up against them. Statistically they're not going to be the successful student. We know there are some students that succeed if they have all those challenges facing them. It was important to provide them access.

Jason, also an interest group participant from higher education, reiterated this message by stating, "some of it [why it was broadened] was just to make sure that it was accessible to the low income and minority populations that are usually most dominant users of this type of gambling that had been experienced in other states."

Additionally, broadening the scholarship meant that income limits would no longer be included for eligibility of the Academic Challenge Scholarship. An interest group participant from higher education, Jennifer, stated:

Of course the other component was getting rid of the income cap because there were so many families that didn't meet that income cap that was on the original academic challenge scholarship. It expanded the scholarship. And if you look at financial aid research, the majority of financial aid and scholarship does not go to middle class families. Because they make a little bit too much to qualify for anything from the federal government regarding the Pell grant and they're good, average, middle of the road students that still do good. They are successful in college. And they are the majority of students that are burdened with the high student loans. They really wanted to make an effort to decrease the amount of student loans that a family is having to take out. That was an ever-growing number too. So basically, when you take the income cap away, when you set the academic requirements at where they set them, you cast a pretty large net.

Kyle, a legislative participant, added, "I think the vast majority of us that worked on the legislation felt like it needed to be very broad based and that it did not need to have income limits."

Additionally, the original Academic Challenge Scholarship required a specific GPA and a minimum score on the ACT. The Arkansas Department of Higher Education (2004) outlined the eligibility requirements before the lottery policy modifications, which noted that a student making a higher ACT score could maintain a lower GPA. For example, a student obtaining an

ACT score between a 25-36 had to earn a minimum GPA of 2.50, a student earning an ACT score between 20-24 had to be accompanied with a minimum 2.75 GPA, and a student earning a 19 on the ACT had to earn a 3.0 GPA (Arkansas Department of Higher Education, 2004). With the modification of the Academic Challenge, the policy stated that a student must make a 2.5 GPA or earn a score of a 19 on the ACT. Jason, a higher education interest group participant, stated that modifying the language from GPA “and” ACT score to GPA “or” ACT score was based on the argument that “a lot of times nationally normed assessments do have a testing bias and so they didn’t want to have that to be used as a measure.”

The final subtheme for the student beneficiary category is the inclusion of the nontraditional student as a beneficiary of scholarship. While interview participants cited traditional students continuously, a unique aspect of the Arkansas Lottery Scholarship was the addition of nontraditional students. By including this group of students the policy sent a message that education was a public good for all citizens, not just traditional students. Donald, a higher education interest group participant, had this view:

We especially thought nontraditional students were important. If we were going to change the state of Arkansas, the way we are going to change it in the next ten years is with nontraditionals, the re-training of adults. We need to have the money also for traditional students, but to leave out the nontraditional would delay the impact that this was going to have in terms of changing the economy of Arkansas. We were the first lottery scholarship, and may be the only one, to have nontraditional in the lottery scholarship. And I think that has resonated. If you go out and talk to legislators today they will tell you that nontraditional is very important.

Amy, a legislative participant, reinforced this sentiment:

And another piece of this, which is important to note, is that nontraditional students were definitely in the mix and there was a separate pot for them. Everyone recognized that you can’t increase the education level in Arkansas without doing something for the adults. You are never going to get a good percentage of your folks with college degrees if you are not going after adults, kind of the low hanging fruit argument there.

It should be emphasized that the money for nontraditional students was limited. Mary, a legislative participant, recalled, “but nontraditional was limited. The original legislation said ‘at least’ and then changed to ‘up to’, which bothered a lot of us. We wanted more for nontraditional.” In regards to nontraditional students, the Arkansas State Legislature (2009) designated up to eight million dollars of lottery revenue for scholarships.

In general terms, the beneficiary pool was very broad. The policy was designed to include students that were average and above academic performers who derived from any socio-economic level. Jessica, a retail community interest group participant, summed beneficiaries up this way: “they did a really good job of accumulating information and then writing a law that would benefit the most people.”

**Typical players.** In order to create a new funding stream for educational scholarships, the lottery must be played. These players take on the burden of financing the lottery. While the policy clearly outlined students as recipients of lottery revenue, the policy design process did not focus on any type of player. The language from the Act stated:

Lotteries shall be operated and managed in a manner that: (A) Provides continuing entertainment to the public; (B) Maximizes revenues; and (C) Ensures that the lotteries are operated with integrity, dignity, adequate internal controls, and free of politics. (Arkansas State Legislature, 2009, p. 2)

Lotteries were framed as entertainment and did not specify a specific type of person that was required to play. Jean, a higher education interest group participant, noted, “the other issue was it is a personal choice to play.” While participants cited that typical players from other states derived from lower income, nothing was set within the policy design to imply that this policy preyed on the poor.

In contrast, when participants were asked to identify or discuss how they talked about the typical players of the lottery, the majority of participants noted that the typical players derived



from low-income families and most often would cite non-specific research studies from other states. Jean, a higher education interest group participant, said:

I think that the discussion was made based on data from other institutions that the unfortunate consequence of the lottery is that they are typically characterized by lower income, less educated individuals who actually buy the tickets. But the other issue was it is a personal choice to play.

Donald, a higher education interest group participant, reinforced this by stating,

Whenever you look at other states you tend to get poor people that spend their money betting on the dream. That became that moral ethical discussion of do we really want the lottery or not. That took place early on but it still takes place today as they look at the results, but sure that's part of the reason why we didn't come out for or against it because it has all kinds of implications. It doesn't just have implications of scholarships.

Some participants even noted that low-income players affected their personal vote on the constitutional amendment. Bob, a legislative participant, stated, "I voted against it because of my concern of people who the last thing they need to be doing is playing a lottery game instead of paying bills or spending money on their kids or whatever." Mike, also a legislative participant, noted that he did not support the lottery because he felt like it preyed upon the poor.

He said:

We are being almost poached upon, almost hunted in a way, because if in poverty and I have an extra buck and I have the hope of gaining 10 it's almost an overwhelming desire and passion to take that risk. It speaks of our societal structure, nature, and the economy of the state. And the real thing that is at the gut root that any of us that work in economic development do is improve our best, we can no longer let our least economically disadvantaged folks, we have to continue to work hard to help them do better over time.

Peggy, a legislative participant, mentioned that concern actually has come to fruition. She stated:

It's been shown, since that time, where the majority of that money comes from and it comes from some of the poorest counties in Arkansas. In other words, people who are college educated are not the ones playing the lottery. It's people who are in the lower socio-economic ladder that plays. It's proven now and shown by the counties that are participating and the per capita income per those counties is some of the poorest counties in Arkansas. So I think it's the wrong incentive. I think that if you are going to try to create the opportunity for kids to go to college or for mature adults to go back to college that it shouldn't come at the expense of the pocketbooks of those who can least afford to

play the lottery, although, that's a philosophical stance.

In an editorial in the *Arkansas Leader*, Feldman (2010) reported that Jefferson County, one of the poorest counties in Arkansas with over a fourth of the residents in poverty and composed of a majority of minority residents, was the second top grosser of lottery tickets in 2009 totaling over seven million in sales for the last quarter of the year alone. Jefferson County was outsold by Pulaski County, which had over five times the population (Feldman, 2010). This was reinforced in a report from the Arkansas Department of Higher Education (2010) that compared scholarship awards and lottery ticket sales by county, which demonstrated that Jefferson County was the second highest producer of lottery sales with over 23 million in sales; however, only 839 students received scholarships, which accounted for only 2.76% of the students receiving scholarships within the state.

In contrast, the Hope for Arkansas campaign rejected the argument that typical players derived mostly from low-income families. Kevin, a lottery campaign interest group participant, discussed the following viewpoint from the Hope for Arkansas campaign:

The argument that you could counter was that the lottery was proposing a disproportional burden on lower income people and that's more of a myth than a fact. There were numbers that we used that disproved that, and that more lottery tickets were bought by people of upper income.

This argument was regarded as a "red herring" by Bud Jackson, a Hope for Arkansas campaign representative who cited that research in a 2001 Texas study demonstrated that typical players derived mostly from middle and upper income families (Lyon, 2008, para. 12).

Although most participants cited that people from lower socio-economic levels played the lottery, there was a sense from the legislative participants that they were freed of blame from their conservative and religious constituents since this amendment had not been a referred ballot item promoted by the legislature but instead a product of an initiated act that was supported by a

majority of voters. For instance, Peggy, a legislative participant, stated, “The decision about who was going to play the lottery wasn’t really relevant to carry out the task we had. That decision was already made by the people.” Mary, another legislative participant, reinforced this. She stated:

My people had clearly voted. As far as I was concerned, it didn’t matter that I did not vote for it. The people in my district had voted for it. I felt like I was charged then to help influence the legislation and make it as easily accessible to the people in my districts as I could. I think we all said it doesn’t matter whether we voted for it or not, the people passed it and now it is our job to make sure it is the best legislation that we can possible write.

The conservative values once held within the state on the issue of the lottery held back the legislature from referring such proposals to the people; however, the unfavorable view of a state lottery changed when the proposal was refocused to benefit scholarship recipients within the state and the legislature was given the task of putting together the lottery legislation. One final perspective that should be mentioned is from Jessica, a retail community interest group participant. While this emphasizes the same sentiments noted above, there is uniqueness to this perspective deriving from the retail side:

The general consensus of our members is if our customers want it we are going to sell it. It’s not our jobs to see whether or not they have enough money to afford to buy that coke or that lottery ticket or that ice cream bar. That’s not our job. If they want it we are going to provide it.

While players of the lottery did carry the policy burden of funding scholarships, another targeted group surfaced in the form of gambling addiction. Many former legislators worried about citizens becoming addicted to playing the game. This thought became a part of the discussions in the policy design process. Jennifer, a higher education interest group participant, said, “that thought that really starts coming up is who plays the lottery and how they are affected is really the gambling addiction stuff.” Bob, a legislative participant, stated:

This is a game. This is something you do with money you have left over once you have done everything else. Once you have paid all your bills and those kinds of things. There was a lot of discussion about setting up hot lines for gaming and programs for addictive gamblers and other things. So there was some discussion and concern about who might play and being concerned about how you market to players so that you aren't targeting those who in other states tend to play more than others that have less to play with and should be playing with than others.

Another legislative participant, Jack, also added "I know there were some feelings that we need to at least come out in the advertisement, at least put an 800 number for gamblers anonymous in there. Which I guess that's a good thing." The final piece of legislation stated:

An annual amount of at least two hundred thousand dollars (\$200,000) shall be directed to the Department of Health for the treatment of compulsive gambling disorder and educational programs related to compulsive gambling disorder (Arkansas State Legislature, 2009, p. 32).

**Retail and vendor beneficiaries.** While students were the most visible beneficiaries from the lottery scholarship policy, two other groups were targeted by the policy design of the lottery legislation to receive benefits through policy implementation. The retail community certainly had something to gain by selling lottery tickets to the public. Jack, a legislative participant, stated:

We got quite a bit of information about the retail community. I remember before the vote on the lottery, the little convenience gas station I use down here, I knew the guy that owned it. He was hammering on me all the time. We need the lottery because that would bring in people to his store to not only buy gas but to purchase other things.

Lt. Governor Halter (D-Arkansas; 2008) reiterated this viewpoint:

A state lottery is good for business, too. Licensed retailers in states that have lotteries earn a commission on lottery ticket sales. A National Association of Convenience Stores study indicates retailers make about 30 percent more gross profit per visit from lottery customers than nonlottery customers. (p. 13)

Additionally, vendors were positively constructed as receiving benefits within the lottery policy. According to the Arkansas State Legislature (2009), a vendor "means a person who provides or proposes to provide goods or services to the Arkansas Lottery Commission under a

major procurement contract” (p. 7). When participants discussed lobbyists, the general thought was that the only lobbyists informing the policy outside of the interests of higher education were lottery vendors. Kyle, a legislative participant, stated:

The biggest involvement with lobbyist was when we started up the system or when we set up the games. There are private companies that do that. There are several of them around the world but three or four major corporations that provide the scratch off tickets and set up the systems. They hired lobbyists out the kazoo to try and get the work. They were trying to get a job.

Jack, also a legislative participant, reinforced this when he stated:

There were several firms that were vying for contracts during the time that we were developing the legislation. They knew there are only so many of those firms in the world. They would hire various lobbyists. We even met I remember one or two days with those various firms and let them give us their input on their experience and what they have seen in other states that they had contracts with.

While students, retailers, and vendors were positively constructed in the policy design of the Arkansas lottery, the typical players were not specific to the policy; however, it is important to note the policy design process did construct a targeted group of people that would become compulsive gamblers, which participants noted tended to be the typical players deriving mostly from low income.

**Research Question Two: How did the social construction of target populations become embedded in the policy design process?**

As targeted groups became identified in the policy design process, social constructions became embedded within the policy. First, many of these constructions were developed as a result of Lt. Governor Halter’s (D-Arkansas) Hope for Arkansas lottery campaign. Therefore, the support and favor by the voting public gained by the campaign really forced the legislature into designing the policy with the same ideas that had been promoted in the campaign. Second, an existing scholarship program was modified rather than creating a new program, which focused

on broader academic criteria to include more student beneficiaries. Moreover, while the primary beneficiary of the policy, specifically students, was well known within the policy design, competing goals of access and degree completion also became woven within the policy. Finally, favorable benefits for both retailers and vendors were implanted into the policy design process.

**Lottery campaign influence.** With the majority of voters supporting the constitutional amendment charging the Arkansas state legislature to develop and implement a lottery to fund college scholarships, the legislature had to fulfill the promises made to voters from the lottery campaign. Therefore, the Hope for Arkansas campaign shaped many of the social constructions created by the legislature in the development of the policy. Bob, a legislative participant, stated,

Some of this was already dictated by the campaign itself. So you are kind of limited in terms of what you did. There are certain expectations that a campaign generates that kind of hamstrings you [the legislature] in terms of what you can and cannot do because of the expectations of the voting public.

Another legislative participant, Mary, had this viewpoint:

We wouldn't have had it [the lottery] without it [the initiated act]. It was everything that we did. It didn't matter what we thought. The people spoke and the people said, "whether you like it or not legislature, you have never put a lottery on the ballot and we are going to do it for you." We don't have a choice because it's in the initiated act that the legislature is going to do all of this.

As the legislature began working on this piece of legislation, the citizens were already socially constructed through the messages sent by the campaign. Lt. Governor Halter (D-Arkansas) had campaigned hard throughout the state with several messages, including the fact that all in-state residents would be eligible. Jack, a legislative participant, mentioned, "we had to work within the confines of exactly what the amendment said but Halter basically wanted as many kids as possible to take advantage of the scholarship. He was a component of lowering it [GPA] down to a 2.5." Maggie, a higher education interest group participant, reiterated this sentiment: "the commercials going back originally from Bill Halter basically said you have a 2.5.

So it didn't really present that this would be a need-based program, nor particularly a merit program.”

Additionally, the campaign gave citizens the impression that every resident in the state would be eligible for a scholarship. Donald, a higher education interest group participant, noted, “the message during the campaign was kind of a chicken in every pot kind of message. I think it was hard for the legislature to look beyond that.” Therefore, this message really shaped the eligibility requirements in the policy design to allow for a broad scholarship to cover a wide variety of students. Bob, a legislative participant, added:

What was the expectation of the voter who voted for the lottery? And that really is what drove a lot of the amount of the bill is that there was a perception, and there is always a danger when you do a statewide vote to establish something. There is a campaign that has to go out and sell it and a lot of the times there are expectations from that campaign that we had to deal with. Everybody thought they were going to get 5,000 dollars. That the requirements were going to be a 2.5 and a 19 on the ACT, similar to what was in Georgia. There was an expectation that it would be 5,000 dollars. There was an expectation that everyone was going to get it. Not just high school seniors, which had been the case in all the other states. All those dollars only went to high school seniors. There was a perception that existing college students and nontraditional college students who wanted to go back, that they voted for the lottery because they thought they were going to get a scholarship. So we had to deal with a lot of expectations, rightly or wrongly, on their part to try to piece something together.

Jennifer, a higher education interest group participant, had this viewpoint:

Because of the promise that was made to make it available to every high school kid that wanted to go to college, I mean, I think that was a big shaper in determining ultimately how the scholarship would be crafted and the award amount in regards to which students would be eligible. Basically the funds go to pay for the traditional student and some set aside for other types of students.

Moreover, embedding the policy with broad scholarship criteria included students that had previously not been funded by state dollars. For instance, Jason, a higher education interest group participant, made an argument for the inclusion of low-income residents when he stated, “Arkansas is a relatively poor state, relatively rural. We felt that broad access was important.”

Jennifer, also a higher education interest group participant, noted that the criteria would serve middle class students. She stated, “But if we were talking about the traditional student it was middle class students that were not qualifying for anything.”

**Modifying the Academic Challenge scholarship.** As students became the primary beneficiary of the lottery, the legislature focused the policy design on the best way to implement a scholarship program. Therefore, the creation of a scholarship program became embedded in the policy design of the lottery act and eventually the legislature modified an existing program called the Academic Challenge. It was important to tie these constructions to a program that was successful in the past with providing scholarship money. A higher education interest group participant, Jason, stated:

The state had already had a scholarship called the Academic Challenge. It was funded with general funds. There was an idea of basically supplementing that account or adding on to that initiative with the lottery funds because that merit-based program had had some success, there was some experience and history, and already had some high school curriculum tied to it. The thinking very early was that particular scholarship was the type of scholarship we needed to have. We just needed to have a sustainable funding stream to expand its access.

Additionally, modifications to the Academic Challenge program had been a regular occurrence in the legislature. Therefore, it would once again allow the legislature to modify the program to include the existing constructions of being more inclusive to a wider target of students. Donald, a higher education interest group participant, had this viewpoint about the modification of the program:

Realize whenever the Challenge came into being it had a lot of iterations. They added. They changed the grade point averages and the financial contributions of the parents. So there were a lot of changes, almost every two years when we met in the legislature. The department had to administer it. Anything you can tie to an existing program made administration more feasible. So, they latched on to the academic challenge seeing that as a vehicle that was already in place that could be modified as it had been many times to accommodate the additional revenue of the lottery.



With the modification of an existing program, the lottery policy sent the message that a successful program was going to be expanded for more students because education was a public good. Mike, a legislative participant, said, “of course, the election and the process of getting the lottery on the ballot was sold as this is good for education in Arkansas.” Therefore by modifying the Academic Challenge, the scholarship program was expanded to become inclusive of students from a variety of backgrounds. Again, the message that this program was for all students became embedded into the policy. Jennifer, a higher education interest group participant, stated:

That scholarship program [the Academic Challenge] that was already in place was for traditional students. So they built upon that. His [Halter] intent was that every high school kid that was going straight into college would get their way paid for. I think there was probably pressures that that was going to happen because that’s what the public voted on. That’s what they anticipated. The Academic Challenge scholarship prior to the lottery had an income limit. There was an income component as well as an academic component to qualify for that scholarship. Well, when you lift the income component your middle class students that typically don’t get anything and your upper class families, unless they are the highest-ranking student in the class, typically aren’t eligible for anything from the federal government or from the state. Ultimately it was decided to expand the eligibility for the traditional student.

Furthermore, with lottery proceeds falling short of projections, lawmakers modified award amounts continuously within the policy in order to make the scholarship sustainable for a longer period of time. Donald, an interest group participant from higher education, noted:

Realize too, with any good legislation you structure it so you have a framework in law but you have flexibility in policy so you can make changes as you need to be able to address new information or as information rolls out. The good news then you come back, just like we did this year and say “You know what? The numbers aren’t working.” Let’s change it because again, how it was structured, remember I told you there is the legislative perspective and the policy perspective, it allowed for changes to take place without having to go back for any kind of constitutional amendments or anything like that.

Peggy, a legislative participant, reiterated this when she stated:

So the projections on the front end of what would come in was probably higher than what it should have been. But a lot of that was political. The Lt. Governor would say no, no. The governor was really one who cautioned the legislature to setting the amounts too

high. In retrospect we probably set them too high initially because the projections on the net income are lower in what is coming in. I think it has sort of topped out. It's proven in retrospect that the money has flattened out. The net income of the lottery has flattened out.

In 2013, modifications to the award amounts of the Academic Challenge scholarships introduced a graduated scale of financial aid. The graduated scale increased by 1,000 dollars each year a student was eligible and began with 2,000 the first year and culminated in an award of 5,000 by a student's senior year. Students retained the scholarship by maintaining a 2.5 GPA or higher and accumulating 30 credit hours per academic year. Mary, a legislative participant, stated:

We just passed legislation and the governor has signed it into law. We are going back to the old way we did with the Academic Challenge, which we had all said, those of us that were from higher ed., we knew it was good that you needed to reward persistence.

Donald, an interest group participant, reinforced this sentiment when he stated:

I think the other thing is that it fits philosophically with rewarding students the longer they stay by increasing that amount from 2 to 3 to 4 to 5 it basically says if you stick with us we will give you more and we are going to incent you to stay in school and so if we are going to meet the governor's goal of doubling the amount of degrees by 2025, that incentive thing is good.

**Policy goals.** While the social construction was created early in the lottery campaign for student beneficiaries, participants noted the policy design addressed competing goals for the scholarship beneficiaries. The two goals discussed were degree completion and broadening access. This is important to note because the policy design process clearly constructed students as beneficiaries; however, for policy actors the goal seemed unclear. For instance, Maggie, a higher education interest group participant, noted:

There's never been a really complete answer as to what we think the purpose of this should be and by that I mean should the scholarships be designed more to promote access so that we get students to enroll in college or are we really looking for a program that's really going to enhance the completion rates. But from the start there was some uncertainty about money. There was a strong consensus that we want to fund everybody.

So we included a lot of people initially and we have not ever really looked back and said what do we want to accomplish from the program and I guess maybe we think we want to accomplish everything.

Kathy, also a higher education interest group participant, added:

It's a real balancing act. Is this about access or is this about graduation and retention? If it is really about access we probably did a really good job because the scholarship is available to a large number of people. If we are talking about graduation, I think we still need more data to understand the answer to that question.

If the goal of the program was to provide access, that certainly provided an understanding of why the scholarship criteria were broad. Bob, a legislative participant, stated, "the intent [of the legislation] was to provide more access to higher education." The Arkansas State Legislature (2009) noted in the lottery act the following goals:

The General Assembly finds that: The net proceeds from the state lottery, in addition to existing nonlottery state educational resources for scholarships and grants, will:  
 (A) Encourage associate degree recipients and university juniors to complete a baccalaureate degree; (B) Provide opportunities for students more than one (1) year out of high school to enter or reenter higher education; (C) Provide an improved system of communication to students and parents about opportunities for higher education scholarships and grants in Arkansas; and (D) Provide an evaluation and analysis of all state funding for scholarships and grants and how the funding advances the state's goals for higher education. (p. 82)

The actual policy did focus on several student goals, which included increasing access, including nontraditional students, and degree completion. Many participants stated that the goal for the lottery was to increase the number of Arkansas residents with degrees. Peggy, a legislative participant, mentioned that access was not a problem when she stated:

The point of the legislation was not to merely to give scholarships to students to encourage them to go to school. Arkansas never had a problem with students entering college. The problem was getting them to complete their degrees. We wanted people to complete their college degrees thereby increasing the attractiveness of Arkansas for a workforce for economic development. A lot of times we had had in the past, you know you can't separate education and economic growth. So we try to attract companies to your state who one of the first things they do is look at your workforce and in this increasing technological environment we need people who can, are able to perform in that environment.

This goal sent the message that degree completion provided more opportunities for economic growth. Jack, a legislative participant, reiterated this message:

If you have an educated workforce, your economy is much better. The lives of the people who got the education is much better. So anything that we felt we could do to increase our college graduation rate would be a very good thing.

Another legislative participant, Mike, summed it up with this point:

In my mind, the selling points were this is good for the economy and the economic development of the future of this great state because the better educated our citizenry are, our students are, or degrees we have, skills level, training, all of those things, the better, more productive we are. The better jobs we can get and generate better per capita income and therefore generate new job opportunity, new tax revenue in the state, that sort of thing. Obviously, the voters agreed to that and I was a little surprised, but they did agree. Then you come to the session and you say here's the framework and the direction of the amendment.

The goal of degree completion was different than just providing broad access to higher education because the access issue did not guarantee the completion of a degree. However, focusing money on nontraditional students who already had college credits did focus on the goal of degree completion since they may need the financial help to complete the degree. The goal of the program is important because social constructions become embedded in the policy design process and are a measure of the effectiveness of the policy. Kathy, a higher education interest group participant, stated:

I think that's the difficulty of all of this is trying to assess what is the state's goal or interest with the lottery scholarship. If you want a lot of people with bachelor's degrees then your public policy needs to be drafted in a way that you incentivize that. If you want a scholarship for as many students as possible, then public policy needs to incentivize that. I think our scholarship, if you really look at it, is set up in a way that tells us what the state [Arkansas] wants. Or, it tells us what the state has put into place. Whether or not that was intended or not remains to be seen.

**Retail and vendor benefits within the policy.** While students were the visible beneficiary in the lottery campaign and policy, both retailers and vendors accompanied positive

benefits within the policy. The Arkansas State Legislature (2009) framed retailers in the policy as follows:

The General Assembly recognizes that to conduct a successful lottery, the Arkansas Lottery Commission must develop and maintain a statewide network of retailers that will serve the public convenience and promote the sale of tickets or shares and the playing of lotteries while ensuring the integrity of lottery operations, games, and activities. (p. 39)

Furthermore, the policy was embedded with incentives for retailers to provide lottery tickets for the public. The commission rate was one portion heavily discussed during the policy design process. Jessica, a retail community interest group participant, stated:

We finally agreed on the 5% commission rate and a 1% cash bonus. Whenever you cash a ticket in, the retailer is paid 1% for cashing the ticket in. There are things like whenever someone cashes in a ticket for 50 dollars, we call it “turn”. They spend the money in the store. It just turns. They buy more lottery tickets. They buy a carton of cigarettes when they would have bought a pack or something like that. All that has to be factored in when you are looking at the commission rates, cash bonus, and all those kinds of things.

Likewise, Kevin, a lottery campaign interest group participant, added, “their [retailers] message was they got paid. The more tickets they sold the more they earned and any prizes at their stores, they would get a portion of that. There was a strong incentive to the retailers of the lottery.”

Additionally, lottery vendors had money to be made from the lottery. These benefits, while not the focus of the lottery campaign, are certainly buried in the legislation. Jack, a legislative participant, stated:

Each lottery vendor gets so much for each lottery ticket and then they share in the spoils. I think we set ours up about average across the board with other states. I can’t remember the exact figures. Of course, when we set up the lottery commission they would hire people that would go out and contact potential lottery vendors and that’s how that got set up and the contractors that were hired that did the scratch offs, they are the ones that really got the retailers set up in the first place.

### **Research Question Three: How did the social construction of target populations become communicated to the public?**

There were two ways that the social construction of target populations was communicated

to the public. First, two solid messages were framed for the public through the campaign of the initiated act, which focused on education and lotteries in surrounding states. The second way that social constructions were communicated to the public was from the internal discussions of policy actors through the policy design process.

**Messages from the lottery campaign.** Although the state legislature refused to refer a constitutional amendment vote on a lottery issue, Lt. Governor Halter (D-Arkansas) was able to secure enough signatures to ensure that Arkansas residents would be able to decide the fate of the lottery. Lt. Governor Halter (D-Arkansas) created a lottery campaign, Hope for Arkansas, that educated the public about the lottery cause. The main message from the campaign was the idea that higher education was a public good. In a press release to the Benton County Record, Halter (D-Arkansas; 2008) stated:

A college degree has never been more important. Nor has it been more expensive. The Scholarship Lottery will help thousands of Arkansans hurdle the cost barrier and start on an affordable path to higher education. The Scholarship Lottery, as defined by Proposed Constitutional Amendment 3, will help Arkansas families who are hard-pressed by high college costs. The amendment will dedicate every dime of net lottery proceeds to scholarships and grants for Arkansas citizens enrolled in Arkansas colleges and universities. Change is necessary because the status quo is unacceptable. Arkansas is 49th of 50 states in the percentage of adults with a bachelor's degree, and consistently ranks 48th or 49th in personal income. That's no way to compete for the knowledge-based jobs of the 21st century. Since the Georgia Lottery began selling lottery tickets in 1994, more than 1 million Georgia students have attended college on lottery-funded HOPE scholarships. Amendment 3, the Scholarship Lottery, will provide Arkansas the opportunity to write a similar success story. Together, we can take a bold step forward toward greater educational opportunity and economic prosperity. Please vote on Nov. 4. (p. 13)

Participants also noted that the central message of the campaign was about education. Donald, a higher education interest group participant, noted, “the messaging that college is important is part of the message of the lottery scholarship. For that, I thought it elevated the discussion of the importance of higher education and the importance of getting a degree.” Additionally,

earmarking lottery funds for education helped gain support for a conservative state to accept the lottery. Jack, a legislative participant, stated:

I think that was probably one of the major reasons it passed muster with the voters that parents and grandparents know exactly how much it costs to send a student to college, which is astronomical nowadays. I really believe that that was one of the major reasons it passed. If it was going to the general fund I don't think it would have passed. Earmarking it for something like scholarships was, I think, a good thing and I give Halter all the credit for that.

While there had been past attempts to create a lottery in the state, this was the only time a lottery was presented with the construct that all net revenue generated from the lottery would fund higher education scholarships. Bob, a legislative participant, said:

In terms of being able to sell it to the people obviously providing dollars for higher education was a pretty good sale as opposed of putting it somewhere else like buildings, or highways, or something else. There was a compelling argument. This way our students would go to college.

The message to the public was clearly grounded on the premise of higher education. Kevin, a lottery campaign interest group participant, added, "the primary message was this [lottery] will bring more students into higher education, add to the future of Arkansas, the workforce, and their lifestyle. Raises all ships."

Additionally, the campaign promised the citizens wide eligibility for the scholarships. As scholarships for all citizens became a clear message from the campaign, support was gained from the voting public on all different levels regardless of socioeconomic income or ethnicity. Kyle, a legislative participant, stated:

It was a little more high profile but I think that fact that we pretty much guaranteed everybody, you know middle class, lower class, upper class, income wise, we didn't separate anything. Most government programs are means based. You get something based on your income. We did not do that this way because we just felt like we wanted to see everybody treated the same.

Kevin, a lottery campaign interest group participant, added:

The primary message was this is for the kids. We are really promoting the positive impact of the finances on student opportunities. Then you can go into the whole benefits of college, the need of different demographics in the community, Hispanics, the different ages. Trying to make it as broad of an appeal as possible. The selling point of course was that the states educational access would be improved. You would have students going into higher education.

Therefore, since a majority of voters supported the lottery to fund college scholarships, policy makers designed scholarship eligibility criteria broadly to be inclusive. By setting broad criteria for eligibility, the policy was designed in a way that ensured the inclusion of a variety of students, from those that were average to those that excelled academically, regardless of income, age, and ethnicity. Maggie, a higher education interest group participant, stated, "I think going back to the legislation we passed, a lot of people believed the only purpose of this would be something that most everybody would benefit from."

The second major message from the campaign regarding the social construction of targeted populations was the idea that Arkansans were already buying lottery tickets from neighboring states. The players of the lottery were already residents in Arkansas. With the outflow of cash, Arkansans were actually supporting educational initiatives for others. Creating a lottery to fund education in Arkansas was a clear message. Bob, a legislative participant, mentioned:

I think there was kind of an effective message built around it that most of this money is going out of state so why don't we keep this money in our state to our kids and help them go to college instead of somebody else's.

When Kevin, a lottery campaign interest group participant, was promoting the lottery idea around the state, Arkansans realized that money was leaving the state to support neighboring lotteries. He stated this viewpoint:

The local message, particularly the speaking message was how far is it to the nearest lottery sales store. You could ask that at any town in Arkansas and they could tell you to the mile in Arkansas how far it was. Because they knew and that meant they were doing



it. So the message was you guys are already buying lottery tickets to the advantage of another state. We just thought it was obvious you should do it for your own advantage. That was a very persuasive message. In fact, people were actively engaged in lotteries in other states. So the main message was you are already spending this money and Arkansas isn't getting anything for it. Those were two very powerful messages.

This was an effective message to the public. Additionally, members of the legislature also adopted this message while designing the policy. Rebecca, a legislative participant, noted:

I understood that we were competing with neighboring states like Tennessee that already had educational lotteries, so to speak. Being so close, some of the citizens of Arkansas being so close to Tennessee and looking at the fact that if they are going to spend that money rather than it going to another state, a neighboring state, let them spend that money in Arkansas and do something similar for kids who want to obtain a college education.

Social constructions of citizens within the Hope for Arkansas campaign were communicated to the public with two clear messages, student beneficiaries and Arkansas residents already playing the lottery in other states. These clear messages continued through the policy design process and were never altered. Therefore, the initiative campaign developed and communicated many of the social constructions for the state legislature.

**Internal discussions.** While the public was informed about the lottery from the Hope for Arkansas campaign, once this constitutional amendment was approved by voters, internal discussions by policy actors eventually led to an understanding of the program to the public through the media and presentations made by the Arkansas Department of Higher Education, which became the administrator of the policy. Since the legislature was given the task of creating the legislation and implementing a lottery to benefit higher education scholarships, one way that the legislature gained an understanding of the program before it was presented to the public was by examining lottery policies from other states. Mary, a legislative participant, stated, “again, we copied from our friends in other states. I can't say that enough because we didn't say we were going to do it our way. We were very careful that we listened to the lessons

learned from other states.” Jason, a higher education interest group participant, added, “when the first legislation came out it was written, I think, really clean. I think it was modeled mostly on some out of state legislation.”

Moreover, members of the higher education community were the primary informers for lawmakers when designing the lottery policy. Maggie, a higher education interest group participant, stated, “once this was passed the presidents and chancellors asked a group of us to get together trying to get some points that would be things that we could advance as in the best interest of all of our students.” Furthermore, the Arkansas Department of Higher Education was instrumental with providing information to the legislature, such as providing projections of sustainability with award amounts. Jennifer, a higher education interest group participant, stated:

We did projections. And the projections showed you could afford it. I mean you could afford it for a couple of years. And we were very careful not to project out too far because there were just so many variables with how much money is the lottery really going to produce. We really didn't know. I will say that higher ed. thought the award amounts were too high from the beginning for stability. We felt like there were a lot of variables that would happen that would cause the award amounts to have to be lowered if things weren't right on the projections. From the beginning, the former lottery director, he, and this was before the lottery director was even hired, I think there were high hopes and high projections made for how much money was going to be made available for the scholarships. That's a hard number to predict when you have never had a lottery in your state. Of course we were on the very, and I'm speaking from the Arkansas Department of Higher Education side, we were very conservative side of, “Eh, I don't know if we want to predict that the money is going to be that high.”

This type of information was important as the legislature made decisions within the policy design regarding eligibility and award amounts for students that would be communicated to the public.

Peggy, a legislative participant, noted, “there was plenty of data for us to look at. I mean, in one way there was almost too much. But there was plenty of data to look at.”

In addition to information provided by college and university institutional liaisons and the ADHE, the Bureau of Legislative Research provided information that informed the policy.

Donald, a higher education interest group participant, stated:

I think that's the process that was used there. Facts and figures were presented. I think the facts and figures presented by the Arkansas Department of Higher Education were more accurate than those of the Bureau of Legislative Research. You get that competition of their facts because the Bureau of Legislative Research works for the legislature so they tend to believe those numbers better than anybody else. I think if you go back and examine the numbers that were presented, you will find the numbers presented by the department of higher ed. were probably closer to accurate than the ones from the Bureau of Legislative Research.

As the legislature continued to design the details of the policy, information was distributed to the public through the media. For instance, the *Arkansas Democrat-Gazette* followed the lottery closely throughout the 87<sup>th</sup> legislature and reported changes as quickly as the legislature designed them. One example regards funding for nontraditional students. Wickline (2009) reported, "the legislation would allow nontraditional students who return to college after several years of work to become eligible for the scholarships and students who get a 2.5 grade point average in college to be eligible" (p. 70).

Additionally, the ADHE made public presentations to high school counselors to make them aware of the policy. Jennifer, a higher education interest group participant, stated:

I went to meetings to provide presentations on kind of what the status was, kind of what direction it was going. So probably a culmination of meetings where ADHE conducted meetings to where they were having counselor meetings where I provided presentations to e-mail communication, individual phone communication, I mean whatever means I could communicate, in person, on the phone, e-mail, in meetings, I would say we ran the full gamete. Also, the department of higher education was required to provide professional development for all high school counselors and administrators so that was our responsibility too. I think I was on the road for three months. They had to get three hours of professional service and financial aid. And then each year thereafter they had to get an hour. Initially they had to get three hours and had to have an hour each year thereafter. So we spent a whole lot of time putting together presentations and going around the state which I think was really helpful to get a better grasp because it's a

complicated scholarship program. It was not just because of all the different student groups it wasn't easy so I think it was helpful to provide all of those presentations, three hour presentations across the entire state. I think I can probably do that presentation in my sleep still.

### **Summary**

This chapter presented the findings of this study through two types of analysis: description and interpretation. The descriptive analysis provided a detailed account of the phenomenon of the lottery policy, from the petition process through the policy design process. The interpretive analysis provided findings to the guiding research questions of the study.

Policy actors socially constructed citizens into three categories with regards to the lottery. First, students were provided benefits from net proceeds of the lottery in the form of lottery scholarships. Furthermore, the revenues generated by the lottery would come at the expense of the public, which most commonly was identified by participants as players deriving from low income. Additionally, both retailers and lottery vendors benefited from this policy as lottery suppliers.

These targeted populations became embedded within the policy design process. The lottery campaign of the initiated act developed many of the constructions that were later infused into the policy by lawmakers because of the promises made by the constitutional amendment that stated lottery proceeds would supply scholarships to higher education students. Therefore, it was necessary for the legislature to design a broad scholarship policy that would serve traditional and nontraditional students regardless of their age, ethnicity, or socioeconomic background. This also prompted the legislature to modify a successful existing program, which allowed broader access to a known program. While two goals, access and degree completion, were stated by participants, the somewhat conflicting goals made the intended purpose of the scholarship program unclear. Finally, retailers and vendors received favorable benefits, such as commission

rates and prize percentages, that were buried in the legislation and were not as visible as the benefits provided to students.

The public was made aware of the social construction of target populations through two means: the initiated act and internal discussions by policy actors. The lottery campaign for the initiated act grounded the lottery in the premise that higher education was a public good that provided an educated a workforce, increased the attractiveness of the state, and enhanced the overall economy within the state. The second message sent from the campaign was the fact that Arkansans were already playing the lottery in neighboring states and that money should stay in Arkansas to support state educational initiatives rather than those surrounding Arkansas. Finally, the Arkansas Department of Higher Education and other college and university liaisons were instrumental in informing the policy and then taking that policy back to constituents. This helped the public to understand who would benefit from scholarships and how the program would work. The media and the Arkansas Department of Higher Education relayed the policy to the public. In the following chapter, I discuss the application of these findings within the theory of social construction of target populations and the existing lottery research.

## **CHAPTER V**

### **DISCUSSION**

State lotteries have provided alternative funding sources to support public goals in 43 states (North American Association of State and Provincial Lotteries, 2012). While state policies have been designed to target a population to receive benefits, these benefits are provided at the expense of those buying lottery tickets. As a result, lotteries have been championed because they supply an added revenue stream without the increase of taxes. Higher education scholarships are funded by the means of a lottery in 10 states and studies indicate that these policies are regressive with the vast majority of players deriving from low-income households, which in turn pay for scholarships of students mostly from middle and upper income (e.g. Bowden & Elrod, 2004; Cornwell & Mustard, 2007; Duffourc, 2006; Heller & Marin, 2002; 2004; Ness & Tucker, 2008).

Even though research indicates these lottery policies are regressive in nature, states continue to adopt lottery legislation that provides scholarships to students. Arkansas adopted a lottery policy most recently in 2009, which earmarked lottery revenue solely for higher education scholarships. While research studies regarding state lotteries are plentiful, little attention has been paid to the policy design of educational lotteries. More specifically, there is a gap in the existing research as to why specific groups of citizens are targeted through the policy process. This study fills a void in the research regarding how citizens, such as scholarship recipients and lottery players, are socially constructed in the policy design process.

The remainder of this chapter focuses on the findings of this study by providing insight and suggestions as to how these findings are applied and are able to inform future policy. First, I provide a brief overview of the study, which is followed by the application of the findings to

both the theory of social construction of target populations by Ingram and Schneider (1993) and in the context of the existing lottery research. Then I discuss the limitations of this study, which is followed by a section reviewing future research ideas. Additionally, I provide a section examining this research in context to the implications for policy and practice. I end the chapter with a brief summary.

### **Overview of the Study**

The purpose of this qualitative case study was to examine the Arkansas state lottery policy design process. This study examined how policy actors in Arkansas socially constructed citizens while designing lottery legislation. Additionally, this study explored how the social constructions created in this process became embedded within the policy and framed for the public. Thus, the following research questions guided this study:

1. How did policy actors from Arkansas socially construct citizens when designing the lottery scholarship policy?
2. How did the social construction of target populations become embedded in the policy design process?
3. How did the social construction of target populations become communicated to the public?

In order to answer these questions, I utilized a qualitative case study approach that relied on the collection and analysis of three types of data: interviews, documents, and personal journals. The qualitative case study approach was appropriate because I explored a real-life phenomenon, the Arkansas lottery policy design process, which provided an identifiable case to examine within a bounded system (Merriam, 2009; Yin, 2009). Moreover, I collected multiple sources of data allowing for triangulation, which resulted in the confirmation of emerging themes within the analysis from multiple data sources (Merriam, 2009).

Employing a purposeful sampling technique with a maximum variation strategy, I conducted interviews over a 15-week period with 18 participants that included policy actors in two distinct policy roles: legislative members and interest group members. All interviews followed a standardized open-ended protocol.

Additionally, I conducted a document analysis consisting of 14 primary documents, including meeting minutes and the legislative act, and 72 secondary documents, such as newspaper articles and websites, that were retrieved from public sources, which included the use of library databases, the Arkansas lottery commission website, the Arkansas Department of Higher Education website, and resources provided by the Arkansas Bureau of Legislative Research. Finally, personal journals were written throughout the data collection process. I kept notes before, during, and after participant interviews, at the state capital, and during the process of retrieving documents. I simultaneously analyzed interview transcriptions, documents, and personal journals, which resulted in this study's descriptive and interpretive findings.

While the descriptive findings provided a narrative of the lottery process, beginning with the petition drive to collect signatures for the initiative to the eventual passage of the lottery act, the interpretive findings were linked directly to the research questions. In the current study, I found that policy actors socially constructed three targeted populations when designing the lottery scholarship act: (a) students as beneficiaries, (b) lottery players supplying the extra revenue, identified by most participants as composed mostly from low-income citizens, and (c) retailers and vendors as beneficiaries.

Policy actors embedded these constructions into the policy design as scholarship criteria were set with broad standards to be inclusive to a variety of students regardless of age, socioeconomic status, and/or ethnic background. Additionally, the Academic Challenge, an



existing successful and exclusive scholarship for students, was modified to be more widely accessible. Moreover, participants identified the primary goal of the lottery policy as degree completion; however, broadening access was also mentioned, which caused competing goals for this policy since access did not necessarily guarantee degree completion. Moreover, while low-income citizens were identified as the typical players from the lottery, the legislation itself did not require a specific targeted group to play the lottery. Furthermore, the legislation did call on funds to be set aside for gambling addiction for those that became overwhelmed with the burden of continuous play of the lottery. Finally, the retail and vendor community, while not the focus of the initiative act, did receive favorable benefits in the form of commission and state contracts because of the role in which each group played to run a state lottery.

The public was informed about the lottery in two distinct ways: through the initiated act and through the development of the policy. The Hope for Arkansas lottery campaign supplied the information about the initiated act to the public. A primary message from the campaign was the idea that higher education was a public good with the potential to increase the economic attractiveness of the state. A second message of the campaign focused on the fact that neighboring states with lotteries were being funded by Arkansans, which basically demonstrated that Arkansas was already supporting the idea of a lottery. As the policy was developing, various groups, including the Arkansas Department of Higher Education and college and university personnel, joined the discussion with policy makers regarding scholarship benefits within the policy. With this information and the reliance on out of state lottery models, the policy took shape with the social construction of targeted populations created through the lottery act and then packaged for the public into the policy design process. The policy was presented to

the public by messages sent through the media and the administrator of the scholarship program, which was the Arkansas Department of Higher Education.

### **Discussion**

The findings from this study compliment and extend the discussion within the context of the social construction of target populations theory introduced by Ingram and Schneider (1993). While the theory has been applied in various contexts, to my knowledge it has never been applied to the context of higher education; therefore, this study adds value by applying the theory into an additional field of study. Furthermore, the current study adds to the existing literature on state lotteries and lottery scholarships by exploring the policy design process in the context of the Arkansas state lottery. The following discussion takes place in two parts. First, I discuss the findings in context of the social construction of target populations theory, and second, I discuss the findings in the context of existing research on lottery scholarships.

#### **Social Construction of Target Populations**

By examining the Arkansas Lottery Act through the social construction of target populations theory, a deeper understanding of the political process of the Arkansas lottery policy design is provided. Applying this theory was appropriate to this qualitative case study because the findings that emerged supported the idea that the policy agenda and policy design process were influenced to provide policy benefits to targeted populations that were socially constructed as positive and inflicted burdens or sanctions for those that were socially constructed in a negative light (Schneider & Ingram, 1993). For instance, this study revealed that three groups were primarily constructed in the lottery policy process: students, typical players composed primarily of lower income, and the retail and lottery vendor community. Ingram and Schneider (1993) developed a typology of the policy space where power and image create four distinct

group labels, including the advantaged, contenders, dependents, and deviants. All of these labels emerged within the themes and subthemes of the current study as well. Findings indicate that these emerging themes reinforce the ability of the theory to categorize target populations within the policy design process.

Higher education students are identified within the policy design process as the advantaged group, which is a group that is positively constructed and depicted as deserving of benefits (Schneider & Ingram, 1993). This study's findings reflects the notion made by Ingram and Schneider (1993) that the advantaged group has political power and positive construction while also defining this group with the message that they are deserving of benefits. Students receive benefits from this public policy in the form of a lottery scholarship, which is similar to national public policy that provides financial aid, such as the Pell grant, through the federal government. However, it should be noted that not all students were eligible for the scholarship since the policy specifically targeted students that were able to academically perform at an average or above level. Therefore, a subgroup of students, those academically performing below average, was excluded from receiving the benefit of a lottery scholarship.

Students are more likely to be constructed in a positive way in the policy design process because of the Hope for Arkansas campaign message that stated higher education was a public good, which was important because the implication of that message reinforces the positive construction that students have within society. Therefore, framing college education and students within the policy image was important for the Hope for Arkansas campaign to gain support. There was a clear message constructed in the initiative campaign that the lottery would fund college scholarships. While voters once deemed lottery policies unfavorably within Arkansas, once the message of higher education was communicated to the public, the majority of

voters took to the polls in support of the lottery. The lottery became a catalyst to fund higher education scholarships, which was directly tied to the policy problem outlined in the lottery campaign with Arkansas lagging with the number of citizens with college degrees.

Ingram et al. (1995) noted that one characteristic for the advantaged group is the utilization of agency outreach programs that make the program easily accessible and visible to advantaged groups. The findings supported this, as the Arkansas Department of Higher Education became the administrator of the policy, which provided outreach to potential students and schools with information regarding the scholarship. Thus, the positive social constructions for students developed within the policy were directly communicated to the advantaged group through the scholarship administrator, the Arkansas Department of Higher Education.

Furthermore, most participants noted that the typical players of the lottery derive from low-income citizens. While the policy is not written in a way to inflict the burden of providing the funding stream for any type of particular citizen, the creation of a lottery policy does come with an unfortunate consequence of creating a policy that disproportionately burdens those that can least afford it (e.g. Bowden & Elrod, 2004; Duffourc, 2006; Heller & Marin, 2002; 2004; Ness & Tucker, 2008). Therefore, the typical players of the lottery are identified as the dependent group, which have positive constructions from policy actors but lack material resources or political power because they are unable to organize (Ingram & Schneider, 1993). This policy does not necessarily punish this group; however, it does neglect this group within the policy since past research has identified lottery scholarship programs as a program that preys on the poor (e.g. Bowden & Elrod, 2004; Duffourc, 2006; Heller & Marin, 2002; 2004; Ness & Tucker, 2008). The Arkansas lottery scholarship policy does not identify or create any program to help the poor from becoming victimized by the policy. Ingram and Schneider (1993) noted

that the dependent group has very few organizations willing to help on their behalf and typically help is derived from the private/non-profit sector. This is true for the low-income citizen group as the Arkansas Family Council, a non-profit group, was one of the few groups to suggest to the media during the campaign that this policy would negatively impact the poor.

The retail and vendor community applies to this theory's typology as a contender group. Schneider and Ingram (2008) noted that contenders receive benefits that are usually buried in the details of the legislation. This is true as the findings indicated that the promotion of the lottery focused primarily on students as beneficiary, while the retail and vendor community received benefits as well that can be found within the legislation, which are very clear when thoroughly examining the lottery policy. Commission rates, prize percentage bonuses, and vendor contracts provided incentives for this group to participate in providing the service for the public. The findings reveal that the retail and vendor community was very low profile throughout the lottery campaign, which is typical for a contender group because a goal for this group is to keep their items from appearing on the agenda so that the broader public is unaware of how the group will benefit while working issues out with the government (Schneider & Ingram, 2008).

Additionally, the primary focus of the campaign was creating additional scholarship funds. The message that higher education was a public good overshadowed the fact that the lottery would supply additional revenue for retailers and vendors. While the majority of Arkansans supported a campaign initiative focused on students of higher education, very little attention was given to the fact that the retail and vendor community would substantially increase their revenue by selling lottery tickets.

The final group, compulsive gamblers, is identified as a deviant group within the policy. Once again, this group was assigned blame for the social ill associated with lottery play. To

combat compulsive gambling, a limited amount of funds were distributed to the Department of Health, which was a respected organization deemed worthy of governmental funds to provide help to gambling addicts.

The policy design of the Arkansas lottery is important within the context of the theory of social construction of target populations because the implications reinforce positive and negative social constructions. Schneider and Ingram (2008) noted that a variety of elements incorporated in policy designs create social constructions, such as stated goals, problems to address, or rules for inclusion or exclusion. First, the lottery policy focused on scholarships for students, which included goals and provided eligibility criteria for a student to receive a scholarship. Since this policy provided scholarship funding for students, this policy reinforced the positive construction already held within the culture regarding education as a public good. By focusing on educational beneficiaries in the policy design process, students of higher education became the advantaged target group and were valued over the group that plays the lottery. Additionally, many participants noted that lottery play was voluntary and the lottery was not marketed to groups based on socioeconomic status. While various studies indicate that state lotteries prey on the poor, the creation of a state lottery policy that is known to be regressive in nature reinforces the realities of the world, thus creating a continuous cycle of finding low-income residents unable to organize and defend their status politically. Nothing within the policy design process alters the construction of low-income citizens that have been identified as typical players in previous studies (e.g. Bowden & Elrod, 2004; Duffourc, 2006; Heller & Marin, 2002; 2004; Ness & Tucker, 2008). Education was valued over the typical lottery players, which derive mostly from the poor. This directly links to how social constructions within policy design are embedded in our institutional culture, making change difficult. The theory of social construction of target

populations provides a picture of not only the social construction of the people affected by the policy, but also the issues and events that surround them. Therefore, a depiction of the political and cultural importance of the deficiency of higher education within a state, rather than the financial impact of a lottery on the poor, was reflected in the policy design of the Arkansas lottery scholarship policy. The policy problem was framed in a way to gain recognition and support by the constituency to approve a funding mechanism, the lottery, that had been rejected and viewed as unfavorable in the past.

Additionally, Schneider and Ingram (1993) noted that the policy design process relies on language, metaphors, and stories to create positive and negative images of target populations in the policy design process. Many of these metaphors and stories were created prior to the policy design process in the state legislature. The Hope for Arkansas campaign focused and communicated the story on higher education. As lottery scholarships were communicated to the public through the Hope for Arkansas campaign, policy makers reinforced the social constructions already developed by utilizing the positive image of higher education students within the scholarship policy design process. So in this instance, the actual process and theory differ since the constructions of student beneficiaries were created outside of the legislature. However, these images became the realities of the world in the eyes of lawmakers as the policy design process evolved. The central message from the Hope for Arkansas campaign was that the lottery would provide a scholarship program for every student, which certainly influenced the discussions made by policy actors to broaden the eligibility criteria to be more inclusive of students regardless of age, socioeconomic status, and ethnic background. Likewise, as policy makers designed the lottery policy, the higher education message continued as the legislature turned to other states with scholarship lotteries for models. With the heavy reporting of the

policy development in the media, the public was informed of the policy and continued to see a positive association of funding student scholarships by means of a state lottery. Therefore, the policy design process depicts the political and cultural importance of higher education students.

Furthermore, public policy shapes the experience for a targeted group because lawmakers create perceptions that shape the group's outlook on how the government and society views the group. Schneider and Ingram (2008) noted that the social construction of target populations affects one's vision of citizenship and participation, sending implicit messages about the level of importance of a group's problem and whether participation is to be effective. Thus, the social construction of target populations shapes the identity, attitudes, and political participation of groups. This was true for the groups socially constructed within the lottery process. Students were viewed favorably by the citizenry because of the importance placed on higher education through the lottery campaign. While players were necessary for students to benefit, the voluntary nature of buying a lottery ticket and the fact that this policy was created through a petition process placed less blame on lawmakers for creating a policy that burdens citizens, specifically those identified in previous studies as deriving from low income (e.g. Bowden & Elrod, 2004; Duffourc, 2006; Heller & Marin, 2002; 2004; Ness & Tucker, 2008). Additionally, the retail and vendor community provided the service to the public, which is necessary in order to supply the lottery to the public. Ingram and Schneider (1993) noted that for contenders this political and competitive game brings forth winners and losers. That is true for vendors that constantly negotiate and fight to win contracts with the state government to maintain a stronghold in the lottery business.

This study contributes to the theory of the social construction of target populations through the examination of the Arkansas state lottery policy. This exploration provided a link to



the typology of groups and provided an explanation of how the policy sent messages of those that are deserving and undeserving. Therefore, the examination of the lottery scholarship policy through the lens of the social construction of target populations theory (Ingram & Schneider, 1993) provided a deeper understanding of the political process, which included the depiction of Arkansas citizens through the policy design process.

### **State Lotteries and Higher Education Scholarships**

In accordance with the existing lottery research, policy makers created the Arkansas lottery policy as a means to enhance a public goal. While the policy began through an initiated act of a petition drive, Lt. Governor Halter (D-Arkansas) promoted the lottery as a necessary means to enhance degree completion and access within the state. Therefore, the Arkansas lottery policy is consistent with other states in terms of deeming the lottery as a public good in order to fund a public goal.

Additionally, Clotfelter and Cook (1989) noted that lotteries are set up as a state run monopoly. The Arkansas lottery policy is no different as it was created in a way that the state government has complete control, from establishing the perimeters for how the lottery runs to setting the criteria and award amounts for scholarship recipients. This also means that the state government, consistent with lotteries in other states, becomes a monopoly because the decisions are centralized to the state government who decides how the lottery will run and who will benefit from generated revenues.

One way that the Arkansas lottery policy differs from all other states with a lottery is the fact that all net proceeds benefit one entity: higher education. Lottery scholarships are provided by 10 states and Arkansas was the only state to designate all proceeds toward college scholarships with the remaining nine states dividing proceeds between higher education and K-

12 projects (North American Association of State and Provincial Lotteries, 2012). In Arkansas, students began with a 5,000-dollar scholarship to attend a university of their choice when the scholarship program began in the fall of 2010. Due to the leveling off of lottery funds, the Arkansas legislature modified the award amounts of the Academic Challenge in 2011 and 2013; however, it should be noted that the criteria of the scholarship were not modified and were still inclusive to provide scholarship opportunity to a very broad range of students.

Additionally, existing lottery research has focused on the various goals of lottery scholarships (see Ackerman et al., 2005; Bowden & Elrod, 2004; Campbell & Finney, 2005; Cornwell & Mustard, 2007; Dynarski, 2000; 2002; Farrell, 2004; Heller & Marin, 2002; 2004; Kash & Lasley, 2009; McCray & Condrey, 2003; Ness & Tucker, 2008; Rubenstein & Scafidi, 2002; Stanley & French, 2005). Participants in this study noted the lack of clarity with regards to goals for the Arkansas lottery policy and identified two competing goals: access and degree completion. One area of interest in existing research is the examination of providing equal access to students that apply for merit-based scholarships, which are typically based on a relatively high grade point average and standardized test scores. The minimum requirement for a resident to earn an Arkansas lottery scholarship was a 2.5 GPA or a 19 on the ACT, which means that this policy was not necessarily a merit scholarship. Also, since the income limit was dropped with the modification of the program, this scholarship was open to anyone regardless of socioeconomic status. Therefore, the lottery scholarship was not designed as a need-based program. Within this study, many participants noted that access was a goal for this scholarship and this sentiment was reinforced within the policy design process as broad eligibility requirements were created that provided funding for a wider range of students. Students were provided scholarship opportunity regardless of age, socioeconomic status, and ethnic

background. Students deriving from low-income households were provided the same opportunity to receive the scholarship as students deriving from middle and upper class, which may allow for more scholarship opportunities for students deriving from households that play the lottery.

Furthermore, the primary goal of the lottery policy noted by participants and found within the document analysis was the goal to increase residents within Arkansas that hold a bachelor's degree to increase the attractiveness of the state, to boost the economy, and to increase the earning potential for residents; however, the goal of degree completion does not emerge in the context of existing lottery scholarship research. The message was clearly communicated in the Hope for Arkansas campaign that education was the key to fueling the economy and increasing the state's earning potential. While the degree completion goal was stressed in the Hope for Arkansas campaign, the initial policy did little to promote this goal. For instance, it is clear that access was a goal for the lottery policy because the policy was designed with broad eligibility requirements. In contrast, the policy did not provide many incentives for the goal of degree completion. One example from the policy design that emphasized degree completion was the inclusion of nontraditional students, which provided funding for students that were re-entering college after leaving the workforce. Nontraditional students were provided an incentive, the lottery scholarship, to re-enter college and complete a degree. However, the Arkansas legislature had addressed the goal of degree completion during the 89<sup>th</sup> General Assembly with the modification of the Academic Challenge scholarship. In 2013, the policy was modified to introduce a funding scale that gradually increased scholarship aid for each year a student maintained a 2.5 GPA and completed 30 credit hours. Therefore, the legislature modified the

lottery policy to focus on incentivizing persistence in college and degree completion by offering an increase in aid each year.

Moreover, research has discussed lottery scholarships in the context of promoting the retention of academic talent and encouraging academic commitment (see Ackerman et al., 2005; Duffourc, 2006; Ingle, Cohen-Vogel, & Hughes, 2007). Cohen-Vogel et al. (2008) noted that that state legislators championed lottery policies because they reduced brain drain, or the phenomenon where the brightest students leave the state to pursue degrees and never return. While the brain drain goal was fairly common in the examination of existing research, this theme never emerged, not even as an outlier, throughout the analysis. The focused goal of the lottery campaign was to increase the amount of degrees and participants added that an additional goal was expanding access of student scholarship in the state. These overarching goals overshadowed the brain drain phenomenon. However, it should be noted that the goals that emerged within the analysis did promote academic commitment, which is cited heavily within existing research (Ackerman et al., 2005; Binder et al., 2002; Cornwell et al., 2006; Dee & Jackson, 1996; Henry & Rubenstein, 2002; Henry et al., 2004; McCray & Condrey, 2003). Academic commitment was promoted in both secondary schools, with the GPA requirement, and in higher education, with the retention requirements of the Arkansas lottery scholarship. While some argued that the academic requirements for the Arkansas lottery scholarship were low, students were required to maintain an average GPA.

In addition, the Arkansas lottery policy findings fit with the existing lottery trends that have been discussed in the research. The first trend to note is that the lottery was promoted in 2008, with legislation passing in 2009, which is a time in history where there was a global recession. Nelson and Mason (2007) asserted that lotteries were adopted by states as an

economy was met with fiscal restraint. Therefore, the timing of the Arkansas policy did match with a climate that had great financial challenges.

Another lottery policy trend is the struggle by states to pass a lottery (Bobbitt, 2003). Nelson and Mason (2007) noted that the lottery had been on the Arkansas legislature political agenda since the 1980s. Additionally, Arkansas had two failed attempts at passing a lottery in the 12 years prior to the passage of the constitutional amendment in 2008.

Furthermore, mostly a Democratic leader had championed lotteries, which was the experience found in Arkansas. Democratic Lt. Governor Bill Halter (D-Arkansas) was credited by participants and within documents as the visionary for the Arkansas lottery scholarship policy. While the legislature was given the task of creating the actual policy, the Lt. Governor was the driving force behind the petition process that eventually got the policy on the ballot for a public vote.

Moreover, Nelson and Mason (2007) cited that policy diffusion explained how neighboring states adopt and modify lottery policies. The findings indicated that lottery policies from other states were examined in the process of designing the policy in Arkansas. During the policy design process, the media continuously reported about the influence of lottery policies in other states. For instance, the media reported about the legislative committee retreat on Petit Jean Mountain, which included a guest speaker from the South Carolina lottery. The media was instrumental in communicating the policy influences to the public.

In addition, existing research examined the high attrition rate of students receiving lottery scholarships (Binder et al., 2002; Dee & Jackson, 19996; McCray & Condrey, 2003). Participants noted an issue for Arkansas students was the retention of the scholarship, stating that some students receiving the Academic Challenge scholarship simply were not prepared for

college and lost the scholarship after the first year, resulting in a barrier to the goal of degree completion.

The last trend to discuss is that policy innovation had taken place within the Arkansas policy as the broad scholarship program tried to be a scholarship for everyone. This broad policy sought to reach those in financial need and those that were not. It also reached beyond students that qualify based on merit and included an average student. This innovation within the policy deviated from the most replicated lottery scholarship program system, which is based on merit.

The current study adds to the body of existing research by examining the policy design process of a lottery policy in Arkansas. By exploring the policy design process of the Arkansas lottery, value is added to the existing research because a deeper understanding to the political process surrounding lottery policy design is provided. For instance, the findings suggest that the social construction of target populations within the policy was partially designed through the Hope for Arkansas campaign and these constructions were then carried into the legislative session. The Hope for Arkansas campaign created the reality of what the policy would eventually look like. Since the Lt. Governor campaigned for the lottery to provide scholarships for everyone, especially high school graduates that could earn a 2.5 GPA, legislators wanting to fulfill the request of the constituents were really backed into a corner. Additionally, exploring how these constructions not only became embedded into the policy but also communicated to the public was helpful to understand how the institutional structure was reinforced through the policy process.

### **Limitations**

There were several limitations related to this study. First, the Lt. Governor developed and promoted the Hope for Arkansas campaign. While I requested an interview with the former Lt.

Governor, several promising leads did not land an interview. While the Lt. Governor was no longer in office when the data for this study were collected, he was running for state governor. Two staff members told me that the former Lt. Governor would call when his schedule opened up; however, I never received a call during the 15-week duration of data collection. Due to the time constraints of the research project, I decided to analyze press releases written by Lt. Governor Bill Halter (D-Arkansas) and newspaper articles to explore his ideas from the campaign.

Additionally, only four participants were interviewed in person. The other 14 participants were interviewed by phone because most participants were scattered not only around the state of Arkansas, but also outside the state, as two participants no longer lived in Arkansas. Interviewing participants by phone affected possible probing questions, as nonverbal cues were unavailable since the participants were not face-to-face.

Furthermore, because the lottery campaign and subsequent legislation took place over five years prior to the study, information recall was a limitation for some of the interview participants. While participants were able to answer questions in a broad sense, a few participants were unable to recall policy actor names, lottery firm lobbyists, and specific pressures that affected the policy design process. These were noted within the journaling process. To counter these issues, various interview participants were able to fill in these minor details, which were verified by primary and secondary documents along with member checks and triangulation procedures.

Moreover, while member checks were made twice with each participant, not all participants participated and verified the transcription and preliminary findings document. The first member check asked participants to review the interview transcript. This review asked

participants to read the transcript to make any clarifications or correct any errors made as I transcribed the interviews. Only 10 of the 18 participants returned an e-mail requesting the examination of the transcriptions in which three participants made minor corrections to the wording of the transcript. The second member check asked participants to review the preliminary findings of the study. With this request, 13 of the participants followed up and verified the findings were correct, with one suggesting a finding was incorrect, which led to a word change within a subtheme. Although I would have liked a higher number of participants providing a member check of the study, over half of the participants provided verification that the findings were correct.

Furthermore, while the document analysis consisted of both primary and secondary documents, there was a limitation in terms of primary documents. While primary documents were accessible in various forms, such as a memorandum from the speaker of the house and minutes from two state legislative committees, staff members at the Bureau of Legislative Research were unable to supply any transcripts or minutes from floor debates or the original legislative lottery committee simply because records were not kept. Therefore, primary document analysis was limited in terms of the types of documents that could be analyzed. Secondary documents derived mostly from newspaper articles and editorials proved beneficial in providing information to fill the gaps within primary documents.

A general concern for the current study was extracting information from participants that derive from a public profile. Fenno (1978) noted in his study of the United States House of Representatives that elected officials are used to working with the public; however, in regards to scholarly research “scholarly attention may be flattering, the more so when the scholar comes as a student who wants to learn from them rather than as a professor who wants to instruct them”



(p. 261). Moreover, Fenno (1978) noted that in order for legislative participants to be forthcoming in responses for his study, it was important to build rapport, such as easing a participant into the research project, being patient, and adapting with the participant along the way. Therefore, the current study did require rapport building in order to recruit and interview participants in the current study. Rapport was important for all participants, but especially emphasized to foster a trustworthy environment for legislative members to be honest and forthcoming with their answers.

In order to build rapport, I engaged in a process that was designed to gain the trust of participants. I either sent an email, letter, or called each participant requesting his or her time for an interview. When scheduling interviews, I was flexible and adapted to the schedule of the participants. For example, three participants had to reschedule interviews, which I gladly accommodated. Before the interviews began, I clearly explained the purpose of the study and promised to maintain confidentiality. I began interviews with a general question that was designed to ease participants into the interview. Participants provided very detailed information about the policy design process that reached saturation among other participants. Therefore, I concluded that participants were honest in their interviews and did not withhold details about the lottery design process.

### **Recommendations for Future Research**

The Arkansas lottery policy design process was complex, starting with failed attempts in the state legislature to refer a lottery to a public vote that eventually led to a successful initiative process that moved the lottery to a ballot. While this study focused on the process in Arkansas, the research began five years after the policy design process. One suggestion for a future study would be to examine a state that is in the process of designing a lottery policy. This would

provide participant observation notes to occur during a real-time exploration into the process and would allow for the reduction of many of the limitations cited in the previous section, such as the limitation of primary documents and recall bias. Incorporating participant observation by sitting in public forums, committee meetings, and the general session during the course of policy design would provide unique insight into the policy process.

Additionally, a future study could examine social construction by utilizing a mixed methods approach incorporating quantitative data to determine whether the social constructions developed through language, metaphors, and stereotypes in the policy design process are reinforced statistically through the implementation of the policy. For instance, while participants noted that the broad eligibility provides access to students deriving from low income to upper income, quantitative data should verify how socioeconomic status impacts the types of students receiving broad scholarship aid.

Additionally, future studies should examine if the broad lottery scholarship policy in Arkansas truly made a difference in relation to the stated goals of degree completion and access. For instance, does a more inclusive scholarship entice more students from a variety of socioeconomic backgrounds to complete degrees? Do the typical players of the lottery in Arkansas derive from low income? If so, does broader scholarship eligibility allow for more inclusion of students whose family pay for the burden of the scholarship? Furthermore, a future study should examine whether or not broad access, such as the less stringent GPA requirements, leads to greater degree completion.

### **Implications for Policy and Practice**

This study has important implications for policy makers and practitioners. First, the Arkansas lottery policy was designed in a way that valued higher education. The effort to

elevate the importance of higher education within the state was an important issue as Arkansas worked to boost the economic attractiveness of the state. While participants noted that the intended consequence of establishing a lottery scholarship program was to increase the number of residents with bachelor's degrees and provide access to higher education, unfortunately, there have been several unintended consequences, such as an unrealistic, unsustainable scholarship award amount, the realization that most players of a lottery derive from low income, and competing goals.

First, sustainability is a concern for the lottery to be successful in fulfilling the goal of citizens completing degrees and having access to the scholarship. There were many unknown variables when policy makers were designing the Arkansas lottery policy. For instance, early projections of lottery revenue from the policy design process have not come to fruition. Therefore, the scholarship amounts that were established in the policy design process were not sustainable when the policy was implemented. The 2013 legislative session addressed the sustainability issue of the lottery scholarship by once again modifying the award amounts offered to students. Students received scholarship amounts that increased yearly provided that a student maintained the 2.5 GPA and the required completion of 30 credit hours. In the fall semester of 2013, students received the modified award amount, which began with 2,000 dollars for the first year of eligibility and increased 1,000 dollars per year that a student was eligible for the program, unless the student was attending a two-year institution where the scholarship amount remained the same at 2,000 dollars for the first two years. This effort to create a sustainable revenue structure to fund scholarships has a major implication. In the past, students received double the amount of scholarship funding if they decided to attend a four-year institution; however, with the modification, students received the same amount of scholarship money in the

first year regardless of the institution type. To stretch their scholarship dollars further, the modified policy may force students to begin choosing two-year institutions over four-year institutions. While this modification certainly increases the effort to create a sustainable funding stream, this may negatively impact enrollment of freshmen and sophomores at four-year institutions.

Besides sustainability, another issue regarding the Arkansas lottery policy is the lottery player. While the lottery act is non-specific regarding a type of lottery player, participants and existing research demonstrated that typical players derive mainly from low-income households (e.g. Bowden & Elrod, 2004; Duffourc, 2006; Heller & Marin, 2002; 2004; Ness & Tucker, 2008). Therefore, establishing a lottery, as a means of supporting education, is valued over the ramifications on the poor. Policy makers should pay attention to the message sent to those that are poor when designing lottery legislation because lottery policies continue to victimize those of lower income. For instance, the institutional culture reflects the issues and events surrounding a group of people. The lottery policy in context to those deriving from low income depicts the political and cultural importance of a group of people that have very little resources and social capital to prevent such policies to develop. Therefore, the design of the Arkansas lottery policy neglected the cultural impact that it created for those that typically play the lottery deriving from low income. Several strategies should be implemented that address issues facing those deriving from lower-socioeconomic backgrounds.

The first strategy regards the typical lottery players. Practitioners should consider how the lottery is marketed to those deriving from low-income and should develop a marketing strategy that is better at informing the citizenry about the implications of playing the lottery. This marketing strategy should publicize and educate players regarding the general return on the

investment. Perhaps a campaign modeled after the Truth campaign, which focuses on tobacco effects, would be beneficial.

Larger ramifications to those deriving from low-income backgrounds also need attention. Participants of this study noted that one goal of the Arkansas lottery was to provide a scholarship for all Arkansans and therefore broad scholarship opportunity was developed. However, poorer students that find themselves eligible for the scholarship face many difficulties in college. Since low-income residents are the typical players of the lottery, public policy should work to correct the cycle of poverty by ensuring that students deriving from low-income families are academically prepared and meet the qualifications of the scholarship since the lottery scholarship has the ability to make major changes to the academic landscape for Arkansas citizens. Therefore, policy should address the challenges facing students earning lottery scholarships that derive from low-income households. The Hope for Arkansas campaign presented the idea that the lottery would fund scholarships for everyone. However, students deriving from poorer K-12 school districts may find a lack of resources, support, and financial means to prepare them for college, which results in a challenging obstacle to obtain a lottery scholarship for a college education. If increasing the number of citizens with bachelor's degrees is a goal for the Arkansas lottery policy, public policy needs to direct more support to poorer school districts for students in their elementary and secondary years. This support is critical in order to have students prepared to enter and be successful in completing college. One suggestion to fund this priority is to examine states that divide lottery revenue between K-12 education and college scholarships. As a result, the amount of college scholarships may need further modification, but success with the policy goal will be challenging if students are not prepared for college.

Another policy strategy for low-income students is funding academic counseling opportunities. Academic counseling opportunities directed at the poor would prove beneficial, especially since many of these students are first generation college students. Policy should equip counselors with the skills necessary to guide and transition students from high school to college. Additionally, policy could provide funding these academic counseling opportunities through various organizations, including high schools, community colleges, universities, already established government Trio programs, and nonprofit organizations. These various organizations should be equipped with the tools necessary to help students make informed decisions, from college preparation to finding the right educational fit for their college experience. If policy is directed at community level activism, students are counseled in an environment in which they are comfortable and find welcoming.

The final issue that practitioners need to address is the stated goal for the Arkansas lottery policy. While participants noted two goals, degree completion and access, one goal does not necessarily guarantee the successful completion of another. For instance, eligibility standards were broadly developed to be inclusive of students regardless of age, socioeconomic status, and ethnic background; however, the Little Rock Examiner (2011) reported that 40% of students lost the Academic Challenge scholarship because of failing grades. This demonstrates that the goal of access was created, but the completion of degrees became an issue for students that were unable to retain a scholarship because they failed to maintain the 2.5 GPA and completion of 30 college credit hours. Several strategies are outlined below to address these conflicting goals.

First, public policy should be set up to incentivize a public goal. Since the lottery act implies two major goals, degree completion and access, the state legislature needs to provide support to attain both goals. If one of the goals for the Arkansas lottery was degree completion,

retention became a challenge for some students receiving the lottery scholarship. Policy makers should consider how to increase retention efforts. Perhaps policy makers and educational practitioners should examine college preparatory strategies that can service students receiving the scholarship prior to entering college. Any type of training or academic counseling prior to college entry is beneficial. Another suggestion is curriculum modification. Perhaps the smart core curriculum, which is required for eligibility, should be modified to provide clearer preparation in order to have success in college. Additionally, since the other stated goal was to increase access, perhaps the policy, which has lower GPA requirements, should be more flexible with students required to take remedial courses at colleges and universities. The lottery policy required students to complete 30 hours within an academic year, excluding any zero level, remedial type courses. Flexibility within completion hours would encourage students to take the right courses in sequence in order to complete degrees, rather than taking a full load of courses that are directed within the current policy.

### **Summary**

This research study fills a void in the existing research regarding lottery scholarship policy. While research has focused on a variety of lottery issues, such as equal access, reduction of brain drain, and general lottery trends, to my knowledge, studies have not focused on the policy design process. Therefore, in this qualitative case study I examined the lottery policy design process, which provided a deeper context to the discourse and descriptions surrounding the Arkansas lottery policy that focuses on students of higher education, lottery scholarship aid, lottery players, and access to higher education.

In this chapter, I first discussed the application of this study's findings to the social construction of target populations theory in regard to the Arkansas lottery policy design process.

Next, I discussed the findings in relation to existing research on state lotteries. Then, I examined the limitations of the current study, which was followed by a discussion of future research.

Finally, I discussed implications for policy and practice, which provided several strategies that addressed the unsustainable scholarship award amount, the realization that most players of a lottery derive from low income, and competing goals.

It is clear from this study that the design of the Arkansas lottery policy was not simple. From a public policy perspective, policy actors designed the lottery policy to socially construct students as beneficiaries with a scholarship opportunity that included broad eligibility to encourage students regardless of age, socioeconomic status, and ethnicity, to enroll in institutions of higher education and complete degrees. This research study opened with an illustration about a Hope for Arkansas campaign commercial focused primarily on the message that a lottery was a means to enhance a public goal of higher education within the state; however, the promises of the commercial come at a price for those that decide to play the lottery. As Arkansas continues to monitor the success of the lottery policy, policy actors should consider if the financial benefit of a lottery has been worth the gamble.



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## Appendix A

## Interview Questions - Legislative Members:

1. Can you tell me about the first time the lottery legislation came up while you were in office?
  - a. What were your initial thoughts?
  - b. Can you tell me about any other times this legislation was brought up?
2. Why did the lottery legislation finally pass in 2008?
  - a. How was this time different from previous attempts at lottery legislation?
  - b. Who were the major players in this legislation? Were there multiple groups?  
Competing philosophies?
  - c. Were there any other major players outside of elected officials?
  - d. Tell me about any specific players among the higher education community.
3. How did you all decide who would benefit from the lottery revenues?
  - a. What best describes the primary reason to focus the profits for students of higher education?
  - b. Were there any experts or researchers consulted when determining the beneficiaries?
  - c. If so, how did these experts or researchers discuss the lottery?
4. Describe the type of student that was discussed as a beneficiary of the scholarship during the policy process.
  - a. Can you describe the difference in students who are eligible for a lottery scholarship versus those who do not?
  - b. Describe how you negotiated scholarship eligibility requirements for students.
  - c. What do you think the eligibility requirements for student scholarship should be?
  - d. By passing this legislation, what type of student population did you perceive would be

- served?
- e. What was the primary goal for focusing on this type of student?
  - f. Can you discuss how other states with merit-aid models shaped your discussions?
5. How did you discuss who would participate in the lottery?
- a. How did you all discuss who plays the lottery?
  - b. Are there specific types of people that you all discussed?
  - c. What type of discussions did you have regarding the lottery players?
  - d. How did you discuss how lottery players would be affected by playing the lottery?
6. Tell me about your experience with lobbyists regarding this legislation.
- a. Anyone outside of higher education lobby for the policy?
  - b. Anyone outside of higher education lobby against the policy?
7. Can you tell me how you talked about the lottery legislation with colleagues? Constituents? The Governor?
8. Can you tell me about the negotiation process that occurred during the development of the legislation?
9. What sources of information were most influential when discussing the design of the lottery legislation?
- a. How was internal information utilized? (Did the leadership provide talking points?)
  - b. How was external information utilized?
10. Can you tell me how you talked about the lottery legislation with constituents?
- a. Specifically, what arguments did you use in your discussion of the lottery?
11. What type of pressures did you experience from your constituents during the lottery policy design process?

12. Is there anything you would like to add about your experience regarding the lottery legislation?

## Appendix B

## Interview Questions - Interest Group Members:

1. Can you tell me about the first time you heard about the lottery legislation?
  - a. What were your initial thoughts?
2. Why did the lottery legislation finally pass in 2008?
  - a. How was this time different?
  - b. Who were the major players in this legislation? Were there multiple groups?  
Competing philosophies?
  - c. Were there any other major players outside of elected officials?
  - d. Tell me about any specific players among the higher education community.
3. How did you all discuss with legislators who would benefit from the lottery revenues?
  - a. What best describes the primary reason to focus the profits for students of higher education?
  - b. Were experts or researchers involved in this process?
  - c. If so, how was the lottery discussed?
  - d. Can you discuss how other states with merit-aid models shaped your discussions?
4. Describe the type of student that was discussed as a beneficiary of the scholarship during the policy process.
  - a. Can you describe the difference in students who are eligible for a lottery scholarship versus those who do not?
  - b. Describe how you negotiated how to use the profits of the lottery for higher education scholarships.

- c. What do you think the eligibility requirements for student scholarship should be?
  - d. By passing this legislation, what type of student population did you perceive would be served?
  - e. What was the primary goal for focusing on this type of student?
5. How did you discuss who would participate in the lottery?
- a. Are there specific types of people that you all discussed?
  - b. What type of discussions did you have regarding the lottery players?
  - c. How did you discuss how they would be affected by playing the lottery?
6. Tell me about your experience informing other policy actors of this legislation.
- a. Can you describe the strategy used to promote the lottery legislation?
7. What sources of information were most influential when discussing the design of the lottery legislation?
- a. How was internal information utilized?
  - b. How was external information utilized?
8. Can you tell me how you talked about the lottery legislation with colleagues? Members of the Arkansas Legislature?
9. Can you tell me about the negotiation process that occurred during the development of the legislation?
10. Can you tell me how you talked about the lottery legislation with constituents?
- a. Specifically, what arguments did you use in your discussion of the lottery?
  - b. How was the design of the policy shaped in the promotion of the lottery legislation?
11. What type of pressures did you experience from your constituents during the lottery policy design process?



12. Is there anything you would like to add about your experience regarding the lottery legislation?

Appendix C  
Informed Consent

*Title:* The Policy Design of the Arkansas Lottery Legislation

If you have questions or concerns about this study, you may contact Kristopher Copeland or Ketevan Mamiseishvili (faculty advisor) at (479) 575-3781 or by e-mail at [kdcopela@uark.edu](mailto:kdcopela@uark.edu) or [kmamisei@uark.edu](mailto:kmamisei@uark.edu). For questions or concerns about your rights as a research participant, please contact Ro Windwalker, the University's IRB Coordinator, at (479) 575-2208 or by e-mail at [irb@uark.edu](mailto:irb@uark.edu).

*Description:* The present study will investigate how policy actors socially constructed Arkansas citizens while designing lottery legislation. This project requires the researcher to interview policy participants. You have been asked to participate in this study because you were a part of the policy process when the lottery legislation was passed. Interviews will follow a structured protocol that will ask questions regarding the experience of designing the Arkansas lottery policy. At the consent of participants, interviews will be recorded so they can be transcribed for data analysis. While interview lengths may vary, it is anticipated that interviews will last between 45 minutes and an hour.

*Risks and Benefits:* The benefits include contributing to the knowledge of the policy design process of lottery legislation. This will be helpful in understanding how lottery legislation is designed and eventually implemented to target specific groups in the citizenry. There are no anticipated discomforts or risks associated with answering the researcher's questions.

*Voluntary Participation:* Your participation in the research is completely voluntary. There are no cost to or compensation for participants of this study.

*Confidentiality:* All information will be kept confidential to the extent allowed by applicable State and Federal law and University policy. You will be assigned a pseudonym. All information is recorded by this pseudonym. Results of the research will be presented with pseudonyms only.

*Right to Withdraw:* You are free to refuse to participate in the research and to withdraw from this study at any time. Your decision to withdraw will bring no negative consequences- no penalty to you.

*Informed Consent:* I, \_\_\_\_\_, have read the description,  
(please print)

including the purpose of the study, the procedures to be used, the potential risks, the confidentiality, as well as the option to withdraw from the study at any time. The investigator has explained each of these items to me. The investigator has answered all of my questions regarding the study, and I believe I understand what is involved. My signature below indicates that I freely agree to participate in this study and that I have received a copy of this agreement from the investigator

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*Signature of Participant*

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*Date*

I agree to the audio recorded during the interview (please initial) \_\_\_yes \_\_\_no  
*Audio recordings will be destroyed at the conclusion of the study.*

## Appendix D

Recruitment Letter

Dear \_\_\_\_\_,

I am a doctoral student in the Public Policy program at the University of Arkansas and am currently conducting my dissertation research. My study will examine how policy actors in Arkansas socially constructed citizens while designing lottery legislation. Additionally, this study will explore how the social constructions created in this process became embedded within the policy and then framed for the public.

I am writing this letter to request an interview about your experience with the Arkansas lottery. Qualitative interviews will help to extract rich data relating to the time and context that this legislation was being discussed. My hope is that you will be able to provide between 45 minutes to an hour of your time in order for me to gain knowledge about the Arkansas lottery policy design process. All participants will be given pseudonyms to protect identities in the study. No identifiers will be recorded that will link the participant to the pseudonym. All recordings and transcripts will be kept in a locked desk by the researcher at his personal office and will be destroyed at the completion of the project.

I look forward to this opportunity to get to know about this policy and how it was designed. Please let me know if you are willing to participate in this study. I will set up an interview place and time that is most convenient for you.

Sincerely,

Kristopher Copeland

PhD Candidate-Public Policy-University of Arkansas

## Appendix E

## Institutional Review Board Documentation

February 12, 2013

## MEMORANDUM

TO: Kristopher Copeland  
Ketevan Mamiseishvili

FROM: Ro Windwalker  
IRB Coordinator

RE: New Protocol Approval

IRB Protocol #: 13-01-438

Protocol Title: *The Policy Design of the Arkansas Lottery Legislation*

Review Type:  EXEMPT  EXPEDITED  FULL IRB

Approved Project Period: Start Date: 02/12/2013 Expiration Date:  
02/11/2014

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Your protocol has been approved by the IRB. Protocols are approved for a maximum period of one year. If you wish to continue the project past the approved project period (see above), you must submit a request, using the form *Continuing Review for IRB Approved Projects*, prior to the expiration date. This form is available from the IRB Coordinator or on the Research Compliance website (<http://vpred.uark.edu/210.php>). As a courtesy, you will be sent a reminder two months in advance of that date. However, failure to receive a reminder does not negate your obligation to make the request in sufficient time for review and approval. Federal regulations prohibit retroactive approval of continuation. Failure to receive approval to continue the project prior to the expiration date will result in Termination of the protocol approval. The IRB Coordinator can give you guidance on submission times.

**This protocol has been approved for 20 participants.** If you wish to make *any* modifications in the approved protocol, including enrolling more than this number, you must seek approval *prior to* implementing those changes. All modifications should be requested in writing (email is acceptable) and must provide sufficient detail to assess the impact of the change.

If you have questions or need any assistance from the IRB, please contact me at 210

Administration Building, 5-2208, or [irb@uark.edu](mailto:irb@uark.edu).