

Architecture

# Schools of Thought

## A TAXONOMY OF AMERICAN EDUCATION GOVERNANCE

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Foreword by Amber M. Northern and Chester E. Finn, Jr.

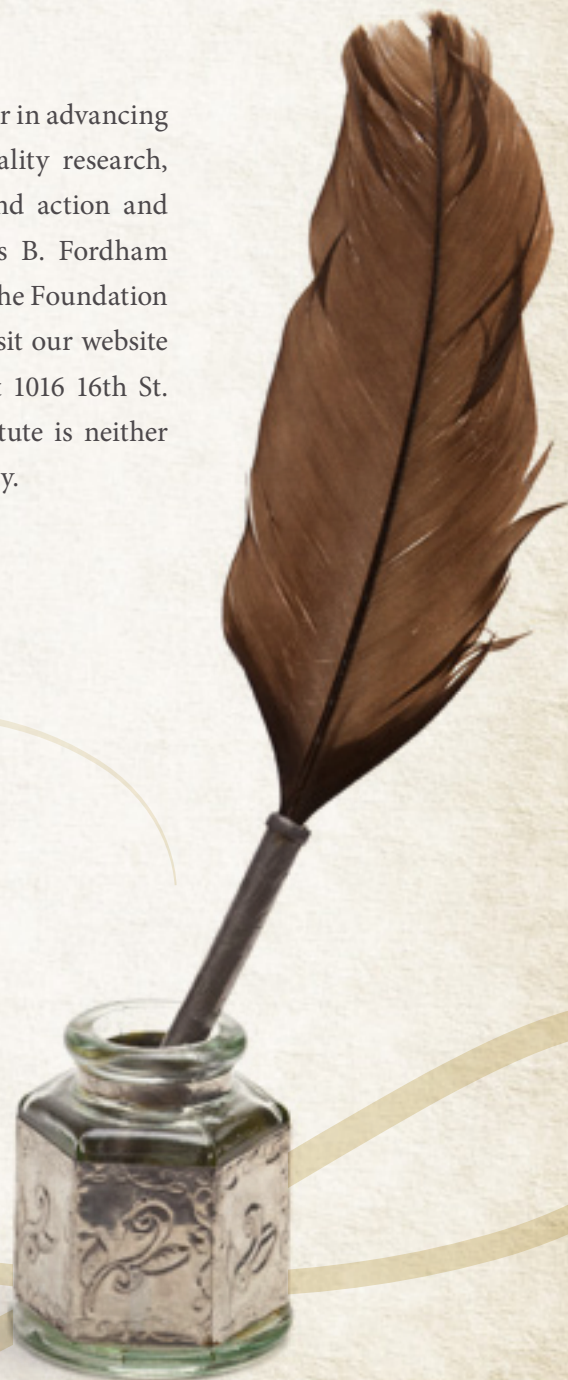
August 2015







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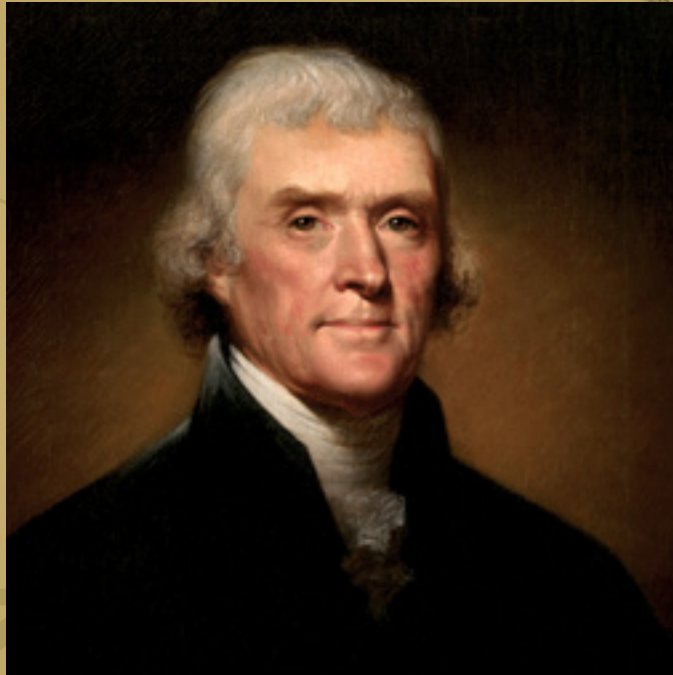


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*Foreword, and  
Executive Summary*



Thomas Jefferson

*Th. Jefferson*





# Foreword and Executive Summary

by Amber M. Northern and Chester E. Finn, Jr.

Anyone who has spent serious time within the U.S. public education system would likely agree that there are an awful lot of—indeed, way too many—chefs in the school governance kitchen. Not only that, some of them are *terrible* cooks. Which means that consensus is a rarity, and significant change even rarer. Yet we at Fordham also realize that our education governance system, impugned and disparaged as it often is, is one of the least understood aspects of American K–12 schooling. So, while it’s easy to agree that “bad” governance gets in the way of doing what’s best for kids, it’s harder to pinpoint just what *exactly* is so dysfunctional when it comes to running schools.

In order to replace murk with illumination, we must first define the governance “system” that we’re talking about. Who exactly makes which kinds of education decisions? State or local? Who has the power? Is that power dispersed or centralized? To what degree can the wider public—not just insiders—participate in policymaking? These are some of the gnarly questions that characterize governance; but because they’re also humdrum and wonky, not many people bother rolling up their sleeves to answer them.

Some of this apathy (or is it despair?) arises from the reality that the structures, rules, and institutions of American public education are so slow and cumbersome to change. Issues like whether a state, district, or building leader decides how to dismiss an ineffective teacher often fall under the purview of state constitutions or education codes. Ditto for how the state superintendent is selected. Even seemingly small matters, like altering when the local school board holds elections, can prove impervious to change.

Yet all is not lost. Fissures can be seen in the glacial system of governance. We’ve seen “cage-busting” leaders who know how to work in or around the system so that it functions better for kids (think of Paul Pastorek, Howard Fuller, Mike Feinberg, Wendy Kopp, Chris Barbic, Deborah Gist, Joel Klein, and others).<sup>1</sup> We’ve even seen the structure itself remodeled in places that have shifted from uniformity to “portfolio” models, switched from board to mayoral control, created charter schools and statewide recovery districts, or handed individual school leaders more power while awarding “central offices” less. Governance, it turns out, is not altogether immutable.

That’s the bottom line of this report, which attempts to make sense out of this—to assemble the puzzle so that the pictures on it are recognizable. Our intent is to bring into sharp relief the structures and rules that bind decision making and the institutions and people who make those decisions.

To help, we recruited Joanna Smith, who teaches education policy and leadership at the University of Oregon. Nearly a decade ago, Dr. Smith, along with labor economist Dominic Brewer, conducted a thorough analysis of education governance in California. They found it to be a “crazy quilt” of regulations that sometimes “appear[ed] superfluous or the result of narrow interests that over time accumulate...”<sup>2</sup> This sounded about right to us. Dr. Smith, along with several talented graduate students, agreed to co-author the report with two of Fordham’s super-analysts: National Research Director Dara Zeehandelaar and Research and Policy Associate David Griffith.



That dream team categorized the governance systems of all fifty states and the District of Columbia in relation to three broad questions:

**1. Which states vest authority at the state—or local—level?** Do state-level institutions control decisions related to school takeovers, teacher evaluations, textbook adoption, and taxation, or are these things mostly decided locally? What about district boundaries? Does the state fix them, or do the districts themselves decide?

**2. Which states consolidate—or distribute—authority among institutions?** Does a single state board have authority over higher education, adult basic education, labor relations, and/or teacher credentialing, or are these handled by separate bodies? Are students concentrated in a small number of largish districts or dispersed across many smaller districts? Are districts uniformly defined under state law?

**3. Which states encourage—or restrict—public participation in policymaking?** Are leaders elected or appointed, and by what means? Are there representation requirements on the state board?

The researchers gathered data on thirty-six discrete indicators, which were grouped under the three questions above. They then fitted similar states into eight categories—a “taxonomy,” we’ve termed it—based on the characteristics they had in common. Recall the moment in high school biology class when you learned that a taxonomy “encompasses the description, identification, nomenclature, and classification of organisms.” That’s what our analysts sought to do with education governance: identify and describe its components, give the “parts” names, and classify them according to their similarities.

In this way, we see that education governance in America is not a bowlful of identical peas in indistinguishable state pods. It’s more like a vegetable garden. And by displaying its elements and characteristics in orderly rows, each with a suitable label, we can more easily comprehend how what’s found in one row can be differentiated from what’s found in the others.

Instead of calling them carrots and rutabagas, however, the authors labeled the categories in their classification after some of history’s most famous political thinkers and statesman—men who wrestled with governance questions over the centuries and whose central tenets are distinct from one another: Thomas Jefferson, Alexander Hamilton, Abraham Lincoln, John Locke, Edmund Burke, James Madison, Andrew Jackson, and Plato.

Figures ES-1–3 display the findings by component. As shown in ES-1, Hawaii and North Carolina vest the most control over decision making at the state level, while Nebraska, North Dakota and Wyoming cede the most to localities. Per ES-2, Florida, Colorado, Nevada, and Washington, D.C. consolidate education authority in a few institutions, while Montana, Maine, and Alaska distribute it among many entities. And in ES-3, observe that in Minnesota, Virginia, South Dakota, and Delaware, the public has relatively little to do with decision making because elections and other rules limit their involvement. In Montana and Wyoming, on the other hand, the public has the greatest opportunity to participate.

Figure ES-1: Which states vest authority at the state—or local—level?

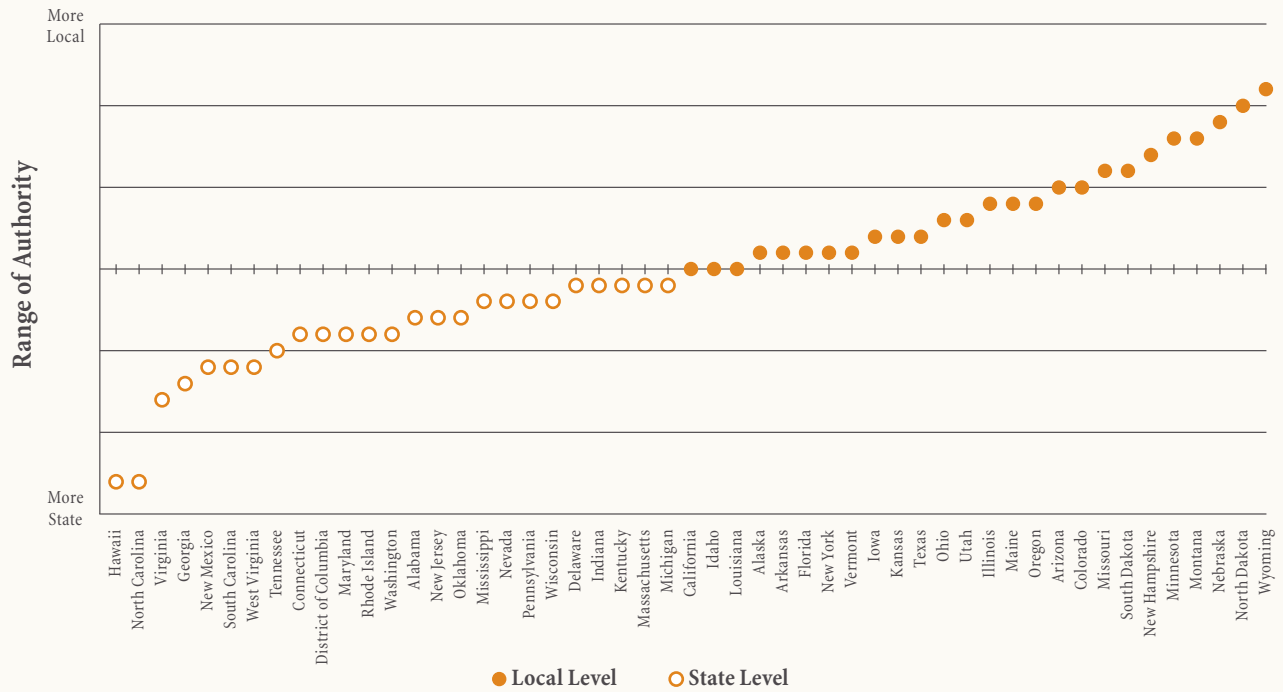


Figure ES-2: Which states consolidate—or distribute—authority among institutions?

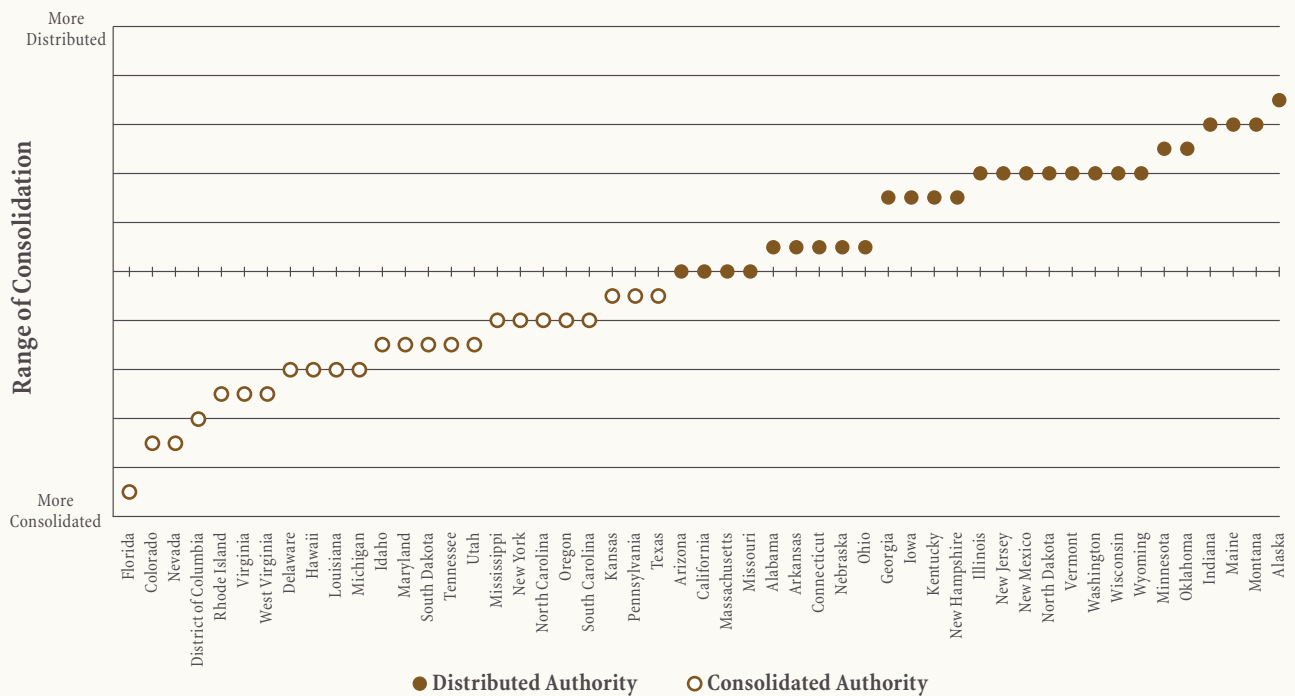




Figure ES-3: Which states encourage—or restrict—public participation in policymaking?

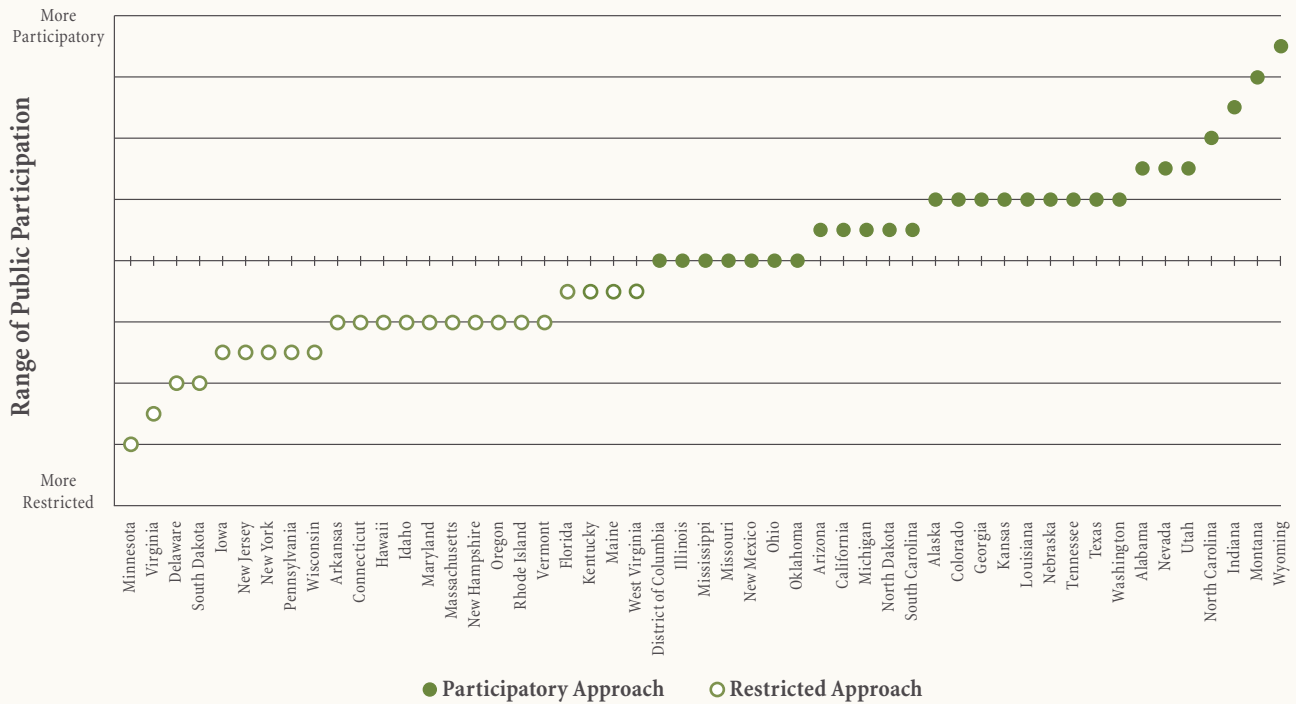


Figure ES-4 sorts these findings, revealing the results of the taxonomy. States are aggregated into eight classes based on similarities shared with august political thinkers. Just as Jefferson mistrusted the wisdom of a ruling class, the ten Jeffersonian states (including Alaska, Arizona, and California) vest authority at the local level, distribute decision-making among multiple institutions, and favor democratic participation. The seven Hamiltonian states (including Pennsylvania, Maryland, and Delaware) feature governance systems in which the state has greater authority than local agencies, decision-making is consolidated within a small number of institutions, and public participation is limited—in line with the thinking of their namesake, who believed in a forceful, pro-active central government. The Lincolnian states (Michigan, Nevada, and Tennessee among them) concentrate authority at the state level and within a small number of institutions, yet also encourage public participation in governance—similar to the predilections of our sixteenth president, who supported a strong central government that was also accountable to public opinion. (See the full report for more on the types.)<sup>3</sup>



Figure ES-4: What famous political thinker favored governance arrangements akin to those in your state?

**Jeffersonian States**

Authority concentrated at the local level

Authority distributed between institutions

Public participation encouraged

Alaska, Arizona, California, Illinois, Missouri  
Montana, Nebraska, North Dakota, Ohio, Wyoming

**Burkean States**

Authority concentrated at the local level

Authority distributed between institutions

Public participation discouraged

Arkansas, Iowa, Maine, Minnesota  
New Hampshire, Vermont

**Hamiltonian States**

Authority concentrated at the state level

Authority consolidated in a few institutions

Public participation discouraged

Delaware, Hawaii, Maryland, Pennsylvania,  
Rhode Island, Virginia, West Virginia

**Madisonian States**

Authority concentrated at the state level

Authority distributed between institutions

Public participation discouraged

Connecticut, Kentucky, Massachusetts  
New Jersey, Wisconsin

**Lincolinian States**

Authority concentrated at the state level

Authority consolidated in a few institutions

Public participation encouraged

District of Columbia, Michigan, Mississippi, Nevada  
North Carolina, South Carolina, Tennessee

**Jacksonian States**

Authority concentrated at the local level

Authority consolidated in a few institutions

Public participation encouraged

Colorado, Kansas, Louisiana  
Texas, Utah

**Lockean States**

Authority concentrated at the state level

Authority distributed between institutions

Public participation encouraged

Alabama, Georgia, Indiana, New Mexico  
Oklahoma, Washington

**Platonist States**

Authority concentrated at the local level

Authority consolidated in a few institutions

Public participation discouraged

Idaho, Florida, New York  
Oregon, South Dakota



Since education governance, though entrenched, is not immutable, those wanting to put it into service on behalf of needed reforms are wise to start with a clearer understanding of not only the arrangements they're presently working within, but also of the remarkably different arrangements that have arisen in other jurisdictions.

We hope and trust that all of them can agree on at least one thing: *Scientia potentia est* (knowledge is power).



## Acknowledgments

This report was made possible through the generous support of the Carnegie Corporation of New York and the Lynde and Harry Bradley Foundation, as well as our sister organization, the Thomas B. Fordham Foundation.

The planning, research, and writing of this report was truly a team effort, and we thank all of those involved. Our gratitude goes to key contributor Joanna Smith and her team: Michael Thier, Ross Anderson, Christine Pitts (University of Oregon), and Hovanes Gasparian (University of Southern California). We thank Fordham authors Dara Zehandelaar and David Griffith as well.

Fatima Capinpin and Nick Perry, graduate students at the University of Southern California, helped with data collection and analysis. Advisors Dominic Brewer (New York University) and Paul Manna (College of William and Mary) gave feedback on early versions of the metric and preliminary findings.

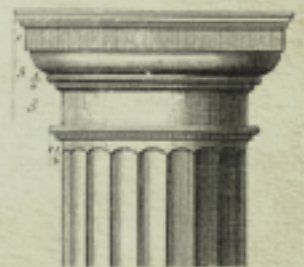
On Fordham's side, we extend thanks to Mike Petrilli for reviewing drafts. Interns Andrew Saraf, Melissa Reynolds, Elizabeth McInerney, John Elkins, Fabienne Antoine, Megan Lail, and Jane Song provided invaluable research and administrative assistance. Ellen Alpaugh led dissemination, Alyssa Schwenk funder relations, and Kevin Mahnken report production. We also thank Shannon Last for copy editing and Bill Buttaggi at Bill B Creative for layout design.

Korinthische Ordnung



Kapital u. Basis vom Tempel der Athene zu Athen

Capitulum Doricum



4 Module in 24 v. m. m.



# Introduction



Abraham Lincoln

Abraham Lincoln





# Introduction

For centuries, the world's leading political thinkers were obsessed with questions of governance: How should power be divided among institutions? How should the will of the people be translated into action? What sort of community would cultivate a sense of citizenship? Yet today these questions are often considered moot by education policymakers, who typically assume that the governance challenges plaguing their local schools are both universal and inevitable. Given the ubiquity of school boards, interest groups, and (increasingly) the federal government, this is a logical assumption. However, a closer examination of state and local education governance arrangements suggests that it is misplaced. Despite some common features, these arrangements vary significantly. Certainly a deeper understanding of how and why they differ might make it easier to improve them.

In this study, we examine the structures and processes that define each state's education governance system in pursuit of two goals: to better understand this bumpy landscape and to help state and local leaders fathom why they face so many obstacles when attempting to create or implement policy. Specifically, we ask three questions:

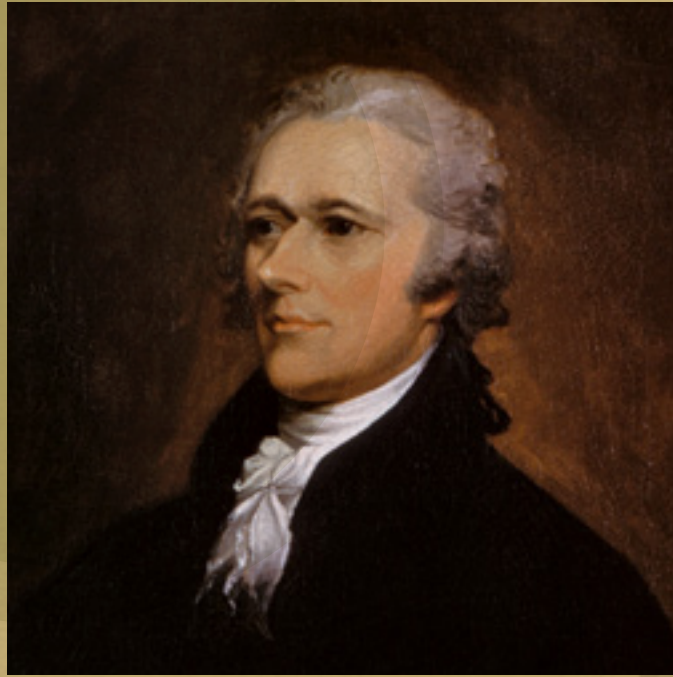
- What are the major education governance structures and processes of each state?
- How can we categorize states based on their systems of education governance?
- How might different approaches to education governance constrain or facilitate the work of schools, districts, and states?

To answer these questions, we create a typology that classifies how decision making in education occurs relative to three components: the degree to which decision-making authority lies at the state versus the local level; the degree to which decision-making authority is distributed among many institutions versus consolidated in a few; and the degree to which the public can participate in the policymaking process. We combine these dimensions into eight "governance types," which are named for the characteristics they have in common with some of history's most famous political leaders and theorists. We supplement our typology with qualitative data that explore how different approaches to governance constrain or facilitate the work of schools and districts on the ground.

This study is organized as follows: First, we review the relevant literature on education governance. Second, we explain how we defined and quantified states' approaches to education governance and the data we used to do so. (Readers may skip these background and methodology portions, if so inclined, and go directly to the results on page 27.) Next, we present the findings: How did each state score on each component? What is each state's overall governance type? Interspersed throughout are vignettes that address the "So what?" question: How does governance facilitate or impede work on the ground? We conclude with observations on the pitfalls associated with various governance types and recent trends in how states have chosen to govern education.

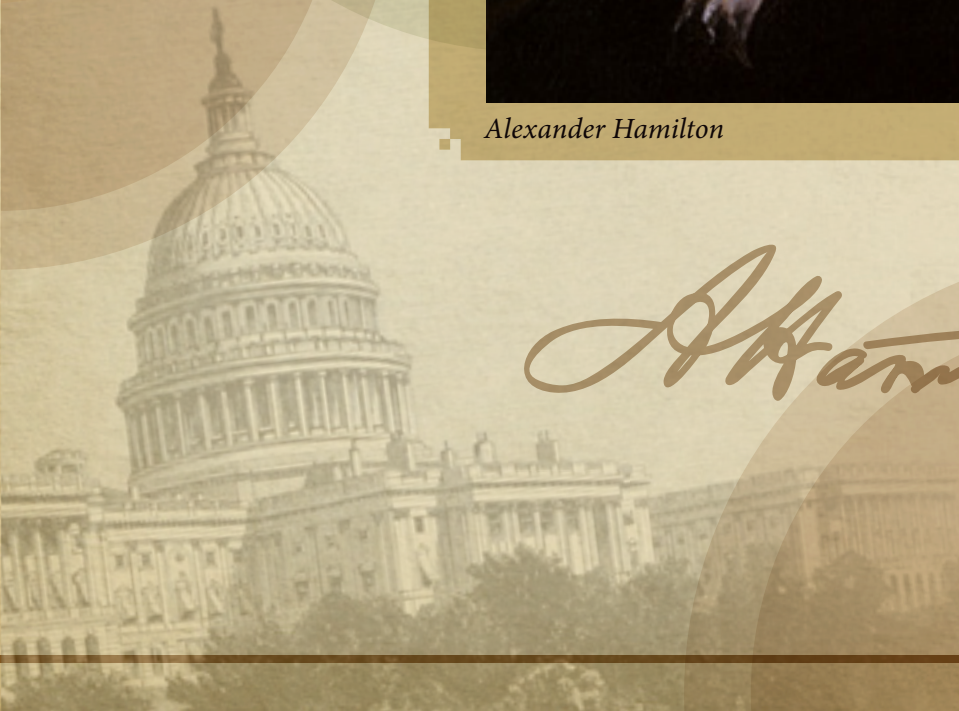


# *A Review of Education Governance*



Alexander Hamilton

*A Hamilton*





# *A Review of Education Governance*

We define “education governance” as the institutions with the authority to make and implement education policies, plus the processes through which this authority is granted and exercised.

Numerous entities play a role in education governance, including schools, districts, and agencies at the city, county, state, and federal levels. The individuals that inhabit these institutions play a role as well: teachers, principals, and superintendents; mayors, city councils, and boards of education; legislators, chief state school officers, and governors. Additional organizations influence education governance, including courts, teachers’ unions, curriculum and test developers, and education service providers.<sup>4</sup> Some of these entities have formal roles enshrined in state constitutions, laws, or regulations, while others have more informal or indirect roles. But each has a stake in how decisions about education are made, and each can ultimately affect the education that children receive. It is the interaction across a multitude of entities—which often have competing agendas and interests—that makes governing education so complicated.<sup>5</sup>



## **A GUIDE TO GOVERNANCE**

Many individuals and institutions play a role in state and local education governance. At the state level, these include the governor, legislature, state board of education, chief state school officer, state education agency (i.e., department of education), and other boards and councils. At the local level, the list includes school boards, superintendents, and local education agencies (i.e., school districts), and occasionally mayors and city councils. This study deals primarily with state and local actors (plus charter authorizers and operators, who may be either state or local). Other actors, such as counties, regional agencies, and the federal government, are beyond the scope of the report.

### ***Governor***

The governor proposes a state’s education budget, often establishes its education agenda, and appoints key state-level officials. In many states, the governor appoints the members of the state board of education and/or the chief state school officer.

### ***State Legislature***

The state legislature approves the budget and passes all laws governing education. Legislatures also have committees devoted to education, which draft laws and help (or hinder) the governor in executing the state’s education agenda.

### ***State Board of Education (SBE)***

The SBE sets education policy that is not otherwise determined by law. It promulgates regulations related to standards, high school graduation requirements,

assessment and accountability, and other areas. In some states, the SBE’s authority extends to higher education, early childhood education, adult education, and/or technical and vocational education. SBEs are either elected or appointed by the governor (or a mix), and may be subject to membership requirements such as regional balance or student representation.

### ***Chief State School Officer (CSSO)***

The CSSO (also “state secretary of education,” “state superintendent,” etc.) is the chief executive of a state’s education agency and the chief administrator for the SBE. He or she is responsible for implementing state policies and (often) serves as a liaison between the governor and the SBE. Some states elect their CSSO, but usually he or she is appointed by the SBE or governor.



*continued...*



**A Guide to Governance (Continued)****State Education Agency (SEA)**

The SEA (i.e., department of education) is responsible for implementing K–12 education policy. In some states, its responsibility extends to areas such as higher education, early childhood education, adult education, technical and/or vocational education, teacher credentialing, and labor relations.

**State Board of Higher Education (SBHE)**

In states that have one, the SBHE has authority over colleges and universities (and sometimes over vocational education, community college, and/or adult basic education). The role of the SBHE in higher education is similar to that of the SBE in K–12.

**State Board of Technical and/or Vocational Education**

Some states have a board with authority over technical and/or vocational programs (and the administration of federal funding for these programs), community colleges, or both. In other states, these programs are the responsibility of the SBE and/or SBHE.

**Teacher Licensing and Credentialing Board**

Some states have a separate board with authority over teacher licensing, teacher credentialing, or both. In other states, these programs are the responsibility of the SBE.

**State Labor Relations Board (SLRB)**

The labor relations board handles complaints filed by education workers or organizations (such as unions). In states without a labor relations board, the SBE handles disputes.

**State Early Childhood Advisory Council**

While Head Start and early childhood programs are usually under the authority of the state department of human services or the SEA, some states have early childhood advisory councils to guide these services.

**P–16/P–20 Council**

P–16 or P–20 councils promote collaboration across early childhood, K–12, and post-secondary education. They are typically advisory only.

**Local School Board**

Local school boards have full or partial authority over district budgets, curriculum, instructional materials, and the terms of employment for teachers and principals. They are also responsible for implementing state and federal policy. In most states, the board is elected and hires the local superintendent. In some places, the board also has taxing authority.

**Local Superintendent**

The superintendent is the district’s chief administrator and head of the local education agency.

**Local Education Agency (LEA)**

The LEA (i.e., “school district” or “school system”) operates the schools within the geographic region defined by district boundaries.

**Charter Authorizers and Operators**

Authorizers approve, oversee, and renew school charters. Depending on state law, authorizers can be statewide boards, local school districts, nonprofits, and/or universities. Charter operators run the schools.

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**OUTSIDE SCOPE OF REPORT**


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**Other State and Local Agencies**

Other state agencies can include budget offices, school facilities bodies, and general services administrations. Some states also have county, regional, or special education agencies between the state and local levels.

**The Federal Government**

Federal entities—including Congress, the Department of Education, the Office of Management and Budget, and many others—obviously have a major impact on state and local education governance. However, the role of the federal government does not vary across states; because the purpose of this report is to characterize different governance arrangements at the state level, we do not include these entities in the study.



## Why Governance Matters

A recurrent theme in the education governance literature is that there are “too many cooks in the kitchen.” For example, in an earlier Fordham publication, Pat McGuinn and Paul Manna argue that the myriad individuals and institutions with overlapping authorities make innovative education reforms difficult to scale.<sup>6</sup> Similarly, Marguerite Roza contends that tangled federal and state funding streams constrain local decision makers while making school and district budgets incomprehensible.<sup>7</sup>

Another common theme is political dysfunction. In *Politics, Markets, and America’s Schools*, John Chubb and Terry Moe maintain that *any* form of publicly administered education will inevitably be hamstrung by the need to satisfy multiple constituencies simultaneously.<sup>8</sup> Twenty-five years later, Paul Hill and Ashley Jochim agree: In *A Democratic Constitution for Public Education*, they argue that in order to shield schools from local politics, local school districts should be replaced by civic education councils with dramatically curtailed authority.<sup>9</sup>

Dissatisfaction with education governance is not the only reason the issue merits attention. Because it powerfully affects the design and implementation of education policy, it also has the potential to impact student outcomes. Yet few scholars have attempted to link differences in education governance to changes in student achievement.<sup>10</sup> Doing so would be more feasible if governance arrangements could be accurately classified. However, only a few scholars have attempted to design such empirical classifications, likely because “education governance” is viewed as nebulous and ill defined.<sup>11</sup>

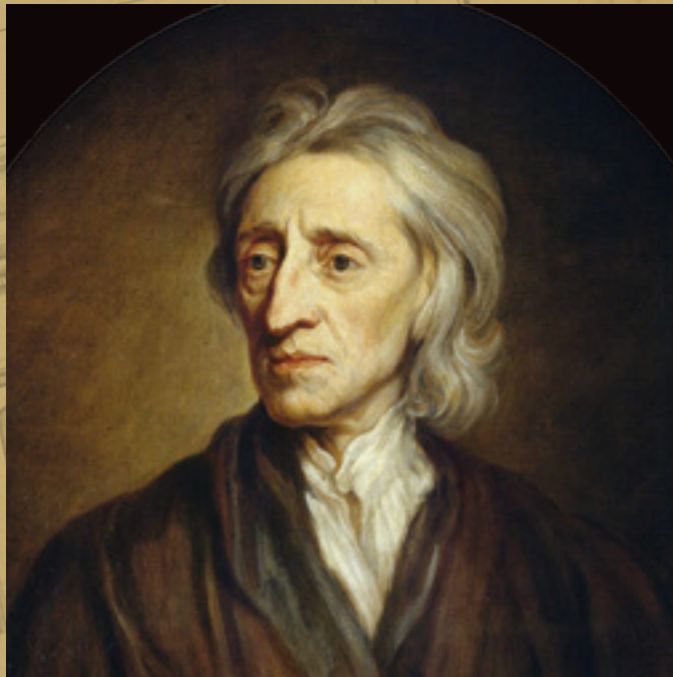
One of them is Manna, who classifies state education governance arrangements as either centralized or decentralized along three dimensions: *political*, *administrative*, and *fiscal*.<sup>12</sup> Politically centralized states empower their governors to select the SBE and CSSO, while politically decentralized states leave these choices to voters. Administratively centralized states have large school districts whose boundaries are defined by state government, while decentralized states have smaller, more numerous districts. Finally, districts in fiscally centralized states receive the majority of their revenue from the state, while those in decentralized states rely more heavily on revenue from local sources.

Elliot Regenstein presents an alternative framework, in which he classifies state governance types based on the number of agencies with authority over early childhood education and how this authority is distributed among them.<sup>13</sup> According to this framework, governance structures can be coordinated (meaning agencies have separate authority but work collaboratively), consolidated (meaning authority is centralized in a single agency), or created (meaning authority is given to a new agency).<sup>14</sup>

Both works share a common goal: to construct a governance typology that honors the inherent complexity of the subject. The present study has a similar aim, but takes a more comprehensive approach than previous attempts.



# The Building Blocks of Governance



John Locke

TWO  
TREATISES  
OF  
GOVERNMENT:

In the former,  
the false Principles, and Foundations  
OF  
SIR ROBERT FILMER,  
And his FOLLOWERS,  
ARE  
Detected and Overthrown.

The latter is an  
ESSAY  
CONCERNING THE  
true Original, Extent, and Limits  
OF  
Civil Government

LONDON,  
Printed for Andrew Churchill, at the Black  
Swan in Aversary Lane, by Andrew  
Corner, 1690.



# The Building Blocks of Governance

We started with two basic premises: first, that governance is comprised of many elements; second, that these elements can be grouped into a few basic components. From there, we examined the existing literature, scrutinized our own assumptions about education governance, and held several conversations with experts in the field. Ultimately, we decided that these three components would serve as the foundation of the study:

- 1. Level of control** – the degree to which education decision-making authority lies at the state versus the local level
- 2. Distribution of authority** – the degree to which education decision-making authority is distributed among many institutions versus consolidated in a few
- 3. Degree of participation** – the degree to which the public can participate in the education policymaking process

“Level of Control” borrows from Manna’s “fiscal centralization” but also breaks new ground by including non-fiscal aspects of education policy. Similarly, “distribution of authority” borrows from both Manna’s “administrative centralization” and Regenstein’s “consolidated authority,” but also expands on them by incorporating the entire P–20 spectrum and other areas of education policy. Finally, “degree of participation” bears some similarity to Manna’s “political centralization” but also draws from the work of Terry Moe, Hill and Jochim, and several other studies of political participation.

## Component 1: How much education decision-making authority lies at the state versus the local level?

This component assesses whether state institutions (the SBE, CSSO, and SEA) or local institutions (school boards and superintendents) have authority over decisions related to school takeover, teacher evaluation, textbook adoption, and taxation. We also examine whether states have the authority to set district boundaries—which clearly affects district demographics and a host of related factors, such as per-pupil funding and teacher retention—and if they leave decisions about collective bargaining to districts or, alternatively, mandate the terms under which districts must (or can’t) negotiate.

Table 1 describes how we organized and scored Level of Control. For each element, a higher score indicates that decision-making authority lies at the local level, while a lower score signifies authority at the state level. Elements that have a greater practical impact on how schools are run are awarded more points (for example, having the authority to take over schools [or not] counts for five points, while requiring annual teacher evaluations [or not] counts for two).



**Table 1. How much education decision-making authority lies at the state versus the local level?<sup>a</sup>**

SCORING METRIC FOR LEVEL OF CONTROL		
Element	Description	Score
<b>School Administration</b>		
School/District Takeover	(a) State lacks authority to take over schools and/or districts	5
	(b) State has full or partial authority to take over schools and/or districts	0
Charter School Authorization	(a) Districts are sole authorizers	3
	(b) Districts are among several authorizing entities, which may include the state	2
	(c) State and/or other entities are authorizers, but not districts	1
	(d) State has no charter law <sup>b</sup>	0
<b>Teacher Evaluation</b>		
Annual Evaluations	(a) State does not require teacher evaluations, requires them every two years or less often, or allows the frequency to be determined by the previous evaluation rating	2
	(b) State requires annual teacher evaluations	0
Evidence of Student Learning	(a) State does not require that evaluations include evidence of student learning	2
	(b) State requires that evaluations include evidence of student learning	0
Evaluation Instrument	(a) State provides criteria or framework for a district-designed evaluation instrument, or allows districts to establish their own criteria	2
	(b) State provides a presumptive evaluation instrument for districts with possible opt-out	1
	(c) State requires use of a single statewide evaluation instrument	0
<b>Bargaining<sup>c</sup></b>		
Bargaining Law	(a) Districts can decide whether or not to bargain with teachers (state law does not explicitly require or prohibit collective bargaining)	3
	(b) Districts cannot decide whether or not to bargain with teachers (state law explicitly requires or prohibits collective bargaining)	0

*continued...*



**Table 1. (Continued)**

Element	Description	Score
<b>Bargaining<sup>c</sup></b>		
Scope of Bargaining	(a) Districts have almost total discretion over which topics they do or don't bargain (state law does not explicitly require or prohibit bargaining on a large number of potential bargaining topics)	3
	(b) Districts have broad discretion over which topics they do or don't bargain	2
	(c) Districts have limited discretion over which topics they do or don't bargain	1
	(d) Districts have little or no discretion over which topics they do or don't bargain (state law explicitly requires or prohibits bargaining on most topics) <sup>d</sup>	0
<b>Other</b>		
Textbook Adoption	(a) Districts/schools select their own textbooks	4
	(b) Districts must choose from options approved by the state	0
Tax Authority	(a) Districts have tax authority	3
	(b) Districts lack tax authority	0
District Boundaries	(a) State lacks authority over school district boundaries	3
	(b) State has authority over school district boundaries	0
<p><sup>a.</sup> A higher score indicates local control; a lower number indicates state control.</p> <p><sup>b.</sup> In a state with no charter law, a state has absolute control over charter schools because they are forbidden at the state level.</p> <p><sup>c.</sup> Although a state bargaining <i>requirement</i> has very different implications for education policy than a state <i>prohibition</i> on bargaining, we treat both as evidence of greater state control because our goal is to capture which level of government has decision-making authority.</p> <p><sup>d.</sup> Topics are defined by the National Council on Teacher Quality's Teacher Contract Database (<a href="http://www.nctq.org/districtPolicy/contractDatabaseLanding.do">http://www.nctq.org/districtPolicy/contractDatabaseLanding.do</a>).</p>		



## Component 2: Is education decision-making authority distributed among many institutions or consolidated in a few?

To determine the degree to which authority is distributed, we examine both state and district-level institutions. At the state level, we consider whether separate governing boards exist for different areas of education policy or whether most education functions fall under the purview of the state board of education. At the district level, we consider whether students are concentrated in a small number of districts (or dispersed across many), whether districts are uniformly (or variously) defined under state law, and whether district boundaries are coterminous with municipal boundaries.

In a more consolidated system, the SBE has authority over a broad swath of the P–20 spectrum (potentially post-secondary education, early education, adult education, and vocational education) and other areas of education policy, such as teacher credentialing and labor relations; districts may be larger and more uniformly defined, with boundaries that are coterminous with the municipal boundaries. In states with distributed systems, authority is divided among the SBE and other governing boards, with no unifying P–16/P–20 council. “Distributed” states may also have a large number of school districts for their populations, and/or different types of districts (e.g., city, county, town).

Table 2 demonstrates how we defined and scored the Distribution of Authority. For each element, more points indicate a greater distribution of authority, while fewer points signify greater consolidation. Elements dealing with the scope of a state board’s authority are weighted to reflect the number of students served by each level of the education system.<sup>15</sup>

**Table 2. Is education decision-making authority distributed among many institutions or consolidated in a few?<sup>a</sup>**

SCORING METRIC FOR DISTRIBUTION OF AUTHORITY		
Element	Description	Score
Distribution of authority at the state level		
Higher Education	(a) SBE/SEA has no authority over higher education or shares authority with another board or agency <sup>b</sup>	4
	(b) SBE/SEA has full authority over higher education	0
Early Childhood Education	(a) SBE/SEA has no authority over early childhood education or shares authority with another board or agency <sup>c</sup>	2
	(b) SBE/SEA has full authority over early childhood education	0
Adult Basic Education	(a) SBE/SEA has no authority over adult basic education or shares authority with another board or agency	1
	(b) SBE/SEA has full authority over adult basic education	0

*continued...*



**Table 2. (Continued)**

Element	Description	Score
<b>Distribution of authority at the state level</b>		
Vocational Education	(a) SBE/SEA has no authority over vocational education or shares authority with another board or agency	3
	(b) SBE/SEA has full authority over vocational education	0
P-16/P-20 Council	(a) State does not have a P-16 or P-20 council	1
	(b) State has a P-16 or P-20 council	0
Labor Relations	(a) State has a separate board or agency with authority over labor relations, independent from SEA/SBE	2
	(b) Board or agency with authority over labor relations is not separate from SEA/SBE (or state does not have a board or agency that governs labor relations)	0
Teacher Credentialing	(a) State has a separate board with authority over teacher credentialing, or authority is shared between SBE/SEA and a separate board	2
	(b) SBE/SEA has authority over teacher credentialing	0
<b>Distribution of authority at the local level</b>		
District Types <sup>d</sup>	(a) State has different types of districts	3
	(b) State does not have different types of districts	0
District Boundaries	(a) District boundaries are not coterminous with municipal boundaries	3
	(b) District boundaries are coterminous with municipal boundaries	0
Students per District	(a) Top quintile (fewest students per district)	4
	(b) Fourth quintile	3
	(c) Middle quintile	2
	(d) Second quintile	1
	(e) Lowest quintile (most students per district)	0

<sup>a</sup>. A higher score indicates greater distribution; a lower score indicates greater consolidation.

<sup>b</sup>. Some states have separate boards with full authority over certain subjects; in many cases, however, authority is shared between boards or agencies. For example, in some states, the SBHE has authority over four-year programs, while the SBE has authority over two-year programs.

<sup>c</sup>. Some states have advisory boards for certain subjects, though with the SBE still maintaining authority. For example, many states have advisory boards for early childhood education, even though the state board is the ultimate decision maker. In most cases, states with advisory boards received a score of zero. However, states with P-16/20 councils received a score of one, since all such councils are advisory.

<sup>d</sup>. For example, some states have “county” districts that are fundamentally different from “city” districts.



### Component 3: To what degree can the public participate in the education policymaking process?

This component considers whether state and local leaders are appointed or elected, the timing of elections, and whether specific requirements exist for representation on boards. In participatory states, more leaders are elected (as opposed to appointed), elections tend to be partisan and fall on the same day as national elections (“on-cycle”), and state law may require regional, partisan, and/or gender balance on the state board, as well as representation for students or outside organizations.<sup>16</sup> More restrictive states might have more appointed leaders, elections that are nonpartisan and/or not on the same day as national elections, no representation requirements, and/or a mandate that the CSSO sits on the SBE (which restricts the board’s discretion).

Table 3 explains how we defined and scored Degree of Participation. For each element, more points indicate greater potential for participation, while fewer points signify greater restrictions on participation. Elements that are similar receive equal weight. For example, states receive the same number of points for electing their SBE and CSSO; however, some elements are weighted more heavily than others because they do more to promote participation. To wit, states receive more points for having elections at all than they do for having them on a general election cycle.

**Table 3. To what degree can the public participate in the education policymaking process?<sup>a</sup>**

SCORING METRIC FOR DEGREE OF PARTICIPATION		
Element	Description	Score
Composition of the state board		
Regional Representation	(a) State board has regional representation requirement	2
	(b) No regional representation requirement	0
Partisan Representation	(a) State board has partisan representation requirement	2
	(b) No partisan representation requirement	0
External Representation <sup>b</sup>	(a) Outside organizations must be represented on the state board (full voting)	2
	(b) Outside organizations must be represented on the state board (non-voting)	1
	(c) No requirement that outside organizations be represented on the state board	0
Gender Representation	(a) State board has a gender requirement	2
	(b) No gender requirement	0

*continued...*



**Table 3. (Continued)**

Element	Description	Score
<b>Composition of the state board</b>		
Student Representation	(a) State board must have a student representative (full voting)	2
	(b) State board must have a student representative (non-voting)	1
	(c) No student representative requirement	0
Presence of CSSO	(a) Chief state school officer is not a member of the board	2
	(b) Chief state school officer is a member of the board (non-voting)	1
	(c) Chief state school officer is a member of the board (full voting)	0
<b>Political synchronicity (state level)</b>		
<b>Chief State School Officer</b>		
Selection Process	(a) Elected	2
	(b) Appointed	0
Election Cycle	(a) Election is on the national general election cycle	1
	(b) Election is not on the national general election cycle (or CSSO is not elected)	0
Partisan Election	(a) Election uses a partisan ballot	1
	(b) Election uses a nonpartisan ballot (or CSSO is not elected)	0
<b>State Board of Education</b>		
Selection Process	(a) All or most members of the state board are elected	2
	(b) Approximately half the members of the state board are elected	1
	(c) Most or all members of the state board are appointed	0
Election Cycle	(a) Election is on the national general election cycle	1
	(b) Election is not on the national general election cycle (or SBE is not elected)	0
Partisan Election	(a) Election uses a partisan ballot	1
	(b) Election uses a nonpartisan ballot (or SBE is not elected)	0

*continued...*



Table 3. (Continued)

Element	Description	Score
<b>Political synchronicity (local level)</b>		
<b>Local Superintendents</b>		
Selection Process	(a) All or most local superintendents are elected	2
	(b) Some local superintendents are elected and some are appointed	1
	(c) Most or all local superintendents are appointed	0
<b>Local School Boards</b>		
Selection Process	(a) All or most local boards are elected	2
	(b) Some local boards are elected and some are appointed	1
	(c) Most or all local boards are appointed	0
Election Cycle	(a) Elections are on the national general election cycle	1
	(b) Elections are not on the national general election cycle (or local school boards are not elected)	0
Partisan Election	(a) Elections use a partisan ballot	1
	(b) Elections use a nonpartisan ballot (or local school boards are not elected)	0

<sup>a</sup>. A higher score indicates greater potential for participation; a lower score indicates more restrictions on participation.

<sup>b</sup>. Outside organizations might include the military or business groups. They do not include other government leaders, such as the commissioner of higher education or members of the state legislature.





# Methods and Scoring



Edmund Burke



BURKE

1729-1797

"MAGNANIMITY  
IN POLITICS IS  
THE FOUNDATION OF THE  
FINEST MEDICINE"





# Methods and Scoring

Our primary data source was state education code, which we supplemented with extant data (for a full list of sources, see Appendix). For each component, we aggregated individual element scores into a component score. We then chose a cut score that divided the fifty states into two equal (or nearly equal) groups and assigned each state a “component type” relative to the side of the cut score on which it fell. For example, Level of Control scores ranged from 2 to 26, so the twenty-five states that scored 14 or below were designated “state-centric” and the rest “local-centric.” Based on the possible combinations of our component types, we assigned states to one of eight possible governance types, each of which is named after an esteemed political leader or thinker who shared the values inherent to the group. For example, states that are local-centric, distribute authority among many institutions, and encourage participation are deemed “Jeffersonian” after their presidential namesake, who prized local control and democratic ideals.<sup>17</sup>

To explore how different approaches to governance affect the work of schools, districts, and states, we also interviewed nearly fifty individuals in six states with varying governance types (California, Indiana, Kentucky, Ohio, Oregon, and Tennessee). Respondents included local school board members, superintendents, state senators, and state board of education members, as well as individuals from outside organizations like teachers’ unions.

## CAVEATS

Two caveats to our approach merit mention. First, our scoring and typology are descriptive rather than normative. For example, a high score on an indicator in the first component simply indicates local rather than state control over that issue, not that local control is “better.” No state’s system of education governance is deemed superior to another’s because it scores higher on any indicator or component. Second, though we attempted to assign weights to indicators based on impact, our weights are ultimately subjective and open to debate (as is our choice of included elements). Consequently, we do not claim that our results are definitive, only descriptive. Indeed, in a few cases they appear counterintuitive. For example, by our metric, Virginia concentrates most authority at the state level and New York concentrates most authority at the local level—yet some observers would argue that the reverse is true. We are well aware that sometimes tradition, customs, convenience, and individual personalities have more impact on governance in a state than do formal structures and laws. A different weighting system or choice of elements would undoubtedly yield a different set of results.



# Results



James Madison

James Madison



# Results

## Component 1: How much education decision-making authority lies at the state versus the local level?

Authority over key aspects of education policy, such as whether states can mandate teacher evaluations, take over schools, require specific textbooks, or draw district boundaries, varies significantly by state (see Table 4). For an explanation of the scoring for this component, see Table 1 on page 17.

**Table 4. Scores for Level of Control**

State	School/District Takeover	Charter School Authorization	Annual Evaluations	Evidence of Student Learning	Evaluation Instrument	Bargaining Law	Scope of Bargaining	Textbook Adoption	Tax Authority	District Boundaries	Total Points	Component Type
Alabama	0	0	0	2	1	3	3	0	0	3	12	State-centric
Alaska	0	3	2	0	2	0	2	4	0	3	16	Local-centric
Arizona	0	2	0	0	2	3	3	4	3	3	20	Local-centric
Arkansas	0	1	2	0	0	3	3	4	3	0	16	Local-centric
California	0	2	2	2	2	0	1	0	3	3	15	Local-centric
Colorado	0	2	0	0	2	3	3	4	3	3	20	Local-centric
Connecticut	0	1	0	0	1	0	2	4	0	3	11	State-centric
Delaware	0	2	0	0	0	0	2	4	3	3	14	State-centric
District of Columbia <sup>a</sup>	0	1	2	0	2	0	2	4	0	0	11	State-centric
Florida	0	2	0	0	2	0	2	4	3	3	16	Local-centric
Georgia	0	2	0	0	0	0	0	0	3	3	8	State-centric
Hawaii <sup>a</sup>	0	1	0	0	0	0	1	0	0	0	2	State-centric
Idaho	0	2	0	0	2	3	2	0	3	3	15	Local-centric
Illinois	0	2	2	0	2	0	3	4	3	3	19	Local-centric
Indiana	0	2	0	0	2	0	0	4	3	3	14	State-centric
Iowa	0	3	2	2	2	0	1	4	3	0	17	Local-centric
Kansas	0	3	2	0	1	0	1	4	3	3	17	Local-centric

*continued...*



Table 4. (Continued)

State	School/District Takeover	Charter School Authorization	Annual Evaluations	Evidence of Student Learning	Evaluation Instrument	Bargaining Law	Scope of Bargaining	Textbook Adoption	Tax Authority	District Boundaries	Total Points	Component Type
Kentucky	0	0	2	0	0	3	3	0	3	3	14	State-centric
Louisiana	0	2	0	0	1	3	3	0	3	3	15	Local-centric
Maine	5	1	2	0	2	0	2	4	3	0	19	Local-centric
Maryland	0	3	0	0	2	0	2	4	0	0	11	State-centric
Massachusetts	0	1	2	0	2	0	2	4	0	3	14	State-centric
Michigan	0	2	2	0	2	0	1	4	3	0	14	State-centric
Minnesota	5	2	2	0	2	0	2	4	3	3	23	Local-centric
Mississippi	0	1	0	0	0	3	3	0	3	3	13	State-centric
Missouri	0	2	2	0	1	3	3	4	3	3	21	Local-centric
Montana	5	0	2	2	2	0	2	4	3	3	23	Local-centric
Nebraska	5	0	2	2	2	0	3	4	3	3	24	Local-centric
Nevada	5	2	0	0	2	0	1	0	3	0	13	State-centric
New Hampshire	5	2	2	2	2	0	2	4	3	0	22	Local-centric
New Jersey	0	1	0	0	2	0	2	4	3	0	12	State-centric
New Mexico	0	2	0	0	2	0	2	0	3	0	9	State-centric
New York	0	2	0	0	2	0	2	4	3	3	16	Local-centric
North Carolina	0	1	0	0	1	0	0	0	0	0	2	State-centric
North Dakota	5	0	0	2	2	3	3	4	3	3	25	Local-centric
Ohio	0	2	2	0	2	3	2	4	3	0	18	Local-centric
Oklahoma	0	2	0	0	2	0	2	0	3	3	12	State-centric
Oregon	5	2	2	0	2	0	2	0	3	3	19	Local-centric
Pennsylvania	0	2	0	0	1	0	3	4	3	0	13	State-centric
Rhode Island	0	1	2	0	1	0	3	4	0	0	11	State-centric
South Carolina	0	2	2	0	2	0	0	0	3	0	9	State-centric
South Dakota	5	0	2	0	2	0	2	4	3	3	21	Local-centric

*continued...*



Table 4. (Continued)

State	School/District Takeover	Charter School Authorization	Annual Evaluations	Evidence of Student Learning	Evaluation Instrument	Bargaining Law	Scope of Bargaining	Textbook Adoption	Tax Authority	District Boundaries	Total Points	Component Type
Tennessee	0	2	0	0	1	3	1	0	0	3	10	State-centric
Texas	0	2	2	2	1	0	0	4	3	3	17	Local-centric
Utah	5	2	0	0	2	3	3	0	3	0	18	Local-centric
Vermont	0	0	2	2	2	0	3	4	3	0	16	Local-centric
Virginia	0	3	2	0	2	0	0	0	0	0	7	State-centric
Washington	0	2	0	0	0	0	2	4	3	0	11	State-centric
West Virginia	0	0	0	0	0	3	3	0	3	0	9	State-centric
Wisconsin	0	2	0	0	1	0	0	4	3	3	13	State-centric
Wyoming	5	3	0	0	2	3	3	4	3	3	26	Local-centric

Note: For Level of Control, we set a cut score of 15. States that scored less than 15 received a “state-centric” designation. States that scored 15 or more received a “local-centric” designation.

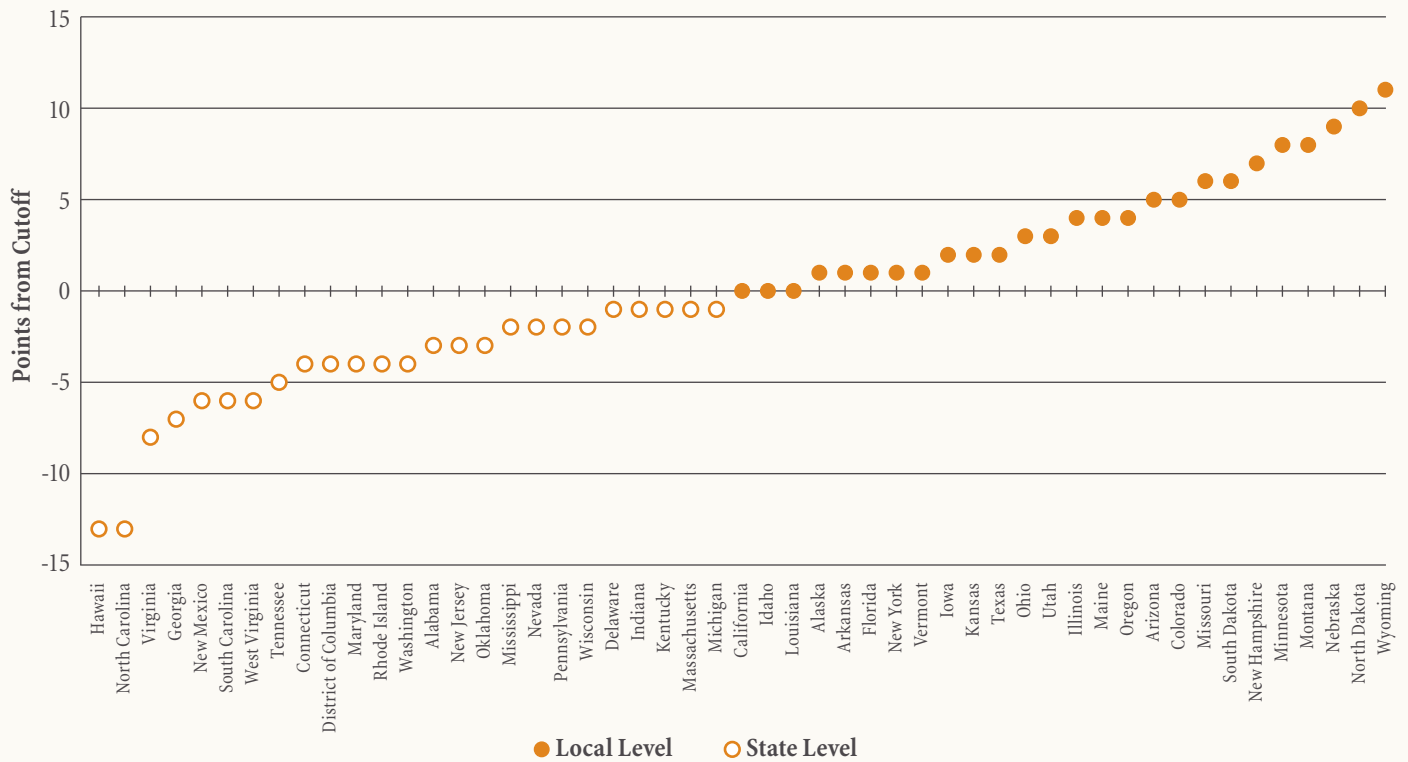
a. Readers should take caution in interpreting this component for the District of Columbia and Hawaii, since each comprises just one district. In the former, the Office of the State Superintendent functions as the “state,” which is a separate entity (with separate leadership and authority) from the District of Columbia Public Schools. In the latter, the Hawaii Department of Education serves as both the “state” and “district.”

Of the fifty states, Hawaii and North Carolina concentrate by far the most authority at the state level. State officials in these states have the power to determine district boundaries and tax rates, choose the lists of textbooks that may be used in classrooms, take over low-performing schools and districts, and authorize new charter schools. (Note that Hawaii is a single school district.) Moreover, these states also require that districts evaluate teachers annually, using an evaluation instrument that includes evidence of student learning. At the other end of the spectrum, Wyoming leaves the most authority to local districts by imposing just two of the requirements we examine: that all teachers be evaluated annually and that their evaluations incorporate evidence of student learning (the latter requirement was more or less imposed by the federal government as a condition for receiving a No Child Left Behind waiver). Similarly, in Montana, Minnesota, Nebraska, and North Dakota, most decisions, including which textbook to adopt, how to evaluate teachers, and when and how to intervene in failing schools, are left to districts.



As Figure 1 illustrates, both Hawaii and North Carolina are relative outliers when it comes to the concentration of authority at the state level. The remaining states fall fairly evenly across the spectrum.

**Figure 1. Which states vest authority at the state—or local—level?**



Unsurprisingly, given America’s tradition of local control over education, most states have opted to preserve the authority of local districts over certain decisions (see Table 4). For example, forty-two states and the District of Columbia give districts partial or full control over the design of teacher evaluations, while just eight states mandate the use of a specific state-designed instrument. Similarly, thirty-two states and the District of Columbia allow districts to choose their own textbooks, while eighteen require them to choose from a list of approved books.

## Q&A:

**Which five states prohibit districts from bargaining collectively with their teachers?**

**Georgia | North Carolina | South Carolina | Texas | Virginia**



There are other decisions over which districts have very limited authority. For example, in thirty-nine states and the District of Columbia, the state can take over low-performing schools or districts (see *State Takeover: Indiana vs. Oregon*). Similarly, forty-two states and the District of Columbia mandate that districts include student achievement measures as part of their teacher evaluations (though this is mostly due to the inclusion of this requirement as a condition for receiving an NCLB waiver). Finally, thirty-five states do not let districts decide whether they will collectively bargain with employee groups (meaning that bargaining is either required or forbidden).<sup>18</sup>

## STATE TAKEOVER: INDIANA VS. OREGON

How states choose to deal with chronically failing schools has the potential to significantly impact the quality of education that students receive. In some states, state leaders have the authority to take over failing schools or appoint someone to do so, should local turnaround efforts prove inadequate. For example, in Indiana, any school deemed to be failing academically for six years in a row is subject to takeover by the state board of education (SBE), which then assigns a special management team to operate the school. In 2011, the Indiana SBE used this authority to take over five schools (including four in Indianapolis) and contracted with two education management organizations and one charter management organization to run them. According to one state-level official, “We just couldn’t let Indianapolis Public Schools continue to run chronically failing schools where children weren’t learning.”

The takeovers in Indianapolis were controversial from the start. State officials expressed disappointment and bewilderment at the district’s “lack of attention” to its failing schools, while local leaders complained of a “top-down” approach in which the district and community were not “authentically engaged.” One state-level official even alleged that Indianapolis Public Schools attempted to sabotage the state-led turnaround effort: “During the year of transition, there was really good evidence that the school district tried to make sure the takeover was a horrific mess.” The purported acts of

interference included stolen equipment, a suspicious spike in the number of special needs and troubled students enrolled in the takeover schools, and attempts to transfer high-performing students from the takeover schools to other district schools.

In a 2013 bid to increase local control, the mayor of Indianapolis successfully petitioned the SBE to transition oversight of the management organizations’ contracts for the four Indianapolis schools to his office. (Those organizations would continue to operate the schools.) By the second year of the takeover, all five schools improved their scores on state exams, and one had improved its accountability rating from an F to a D. However, many of the takeover schools also saw their enrollments decline, and the charter management organization that had contracted to operate one Indianapolis school pulled out in 2014, citing financial difficulties.

In contrast to Indiana, the Oregon State Board of Education has no authority to take over chronically underperforming schools. The task of school turnaround is left to district officials, who often face political and legal barriers to change. “I get zero pressure to improve from the community,” one Oregon superintendent observed. Moreover, “If we have a failing school...could I just fire everybody? I could not. That would violate the [employee labor] contract.”

*continued...*



**State Takeover: Indiana vs. Oregon (Continued)**

Because it is left up to districts, school turnaround in Oregon usually involves steps such as hiring a new principal, transferring teachers, and adopting new curriculum, rather than engaging in wholesale restructuring by replacing large numbers of staff or contracting with an outside management organization. “Obviously, the problem at the state level is we do not control those buildings directly, so there is no line of authority through the district,” one state official opined. “Oregon is not really a state school system. It is a state system of schools and districts.”

Still, it is unclear which approach is preferable, and interviewees in both Oregon and Indiana saw the benefits and drawbacks of each. As one Oregon official observed, pure local control means “we have the autonomy to experiment to see if we can make improvements...but that same strength can also be a weakness because it allows people to do nothing.” Reflecting on Indiana’s experience, one local official described himself as “pro-state takeover if it is community driven.”

## Component 2: Is education decision-making authority distributed among many institutions or consolidated in a few?

States vary significantly in the degree to which authority over education policy is distributed among institutions (see Table 5). For an explanation of the scoring for this component (see Table 2, page 19).

**Table 5. Scores for Distribution of Authority**

State	Higher Education	Early Childhood Education	Adult Basic Education	Vocational Education	Teacher Credentialing	P-20 Council	Labor Relations	District Types	District Boundaries	Students per District	Total Points	Component Type
Alabama	4	2	0	0	0	3	0	3	3	1	16	Distributed
Alaska	4	0	1	3	0	3	2	3	3	3	22	Distributed
Arizona	4	2	0	0	0	0	2	3	3	1	15	Distributed
Arkansas	4	2	1	3	0	0	0	0	3	3	16	Distributed
California	4	0	0	0	2	0	2	3	3	1	15	Distributed

*continued...*



Table 5. (Continued)

State	Higher Education	Early Childhood Education	Adult Basic Education	Vocational Education	Teacher Credentialing	P-20 Council	Labor Relations	District Types	District Boundaries	Students per District	Total Points	Component Type
Colorado	4	0	0	0	0	0	0	0	3	1	8	Consolidated
Connecticut	4	2	0	0	0	0	2	3	3	2	16	Distributed
Delaware	0	0	0	0	2	0	2	3	3	1	11	Consolidated
District of Columbia	4	0	0	0	0	3	2	0	0	0	9	Consolidated
Florida	4	0	0	0	0	0	2	0	0	0	6	Consolidated
Georgia	4	2	1	3	2	0	0	3	3	0	18	Distributed
Hawaii	4	2	0	3	2	0	0	0	0	0	11	Consolidated
Idaho	0	2	1	0	0	0	0	3	3	3	12	Consolidated
Illinois	4	0	1	3	0	0	2	3	3	3	19	Distributed
Indiana	4	2	1	3	0	0	2	3	3	2	20	Distributed
Iowa	4	0	0	0	2	0	2	3	3	4	18	Distributed
Kansas	4	0	1	0	0	0	2	0	3	4	14	Consolidated
Kentucky	4	0	1	3	2	0	0	3	3	2	18	Distributed
Louisiana	4	0	1	0	0	0	0	3	3	0	11	Consolidated
Maine	4	2	0	3	0	0	2	3	3	4	21	Distributed
Maryland	4	0	1	0	2	0	2	3	0	0	12	Consolidated
Massachusetts	4	2	0	0	0	3	2	0	3	1	15	Distributed
Michigan	0	0	1	0	0	3	2	0	3	2	11	Consolidated
Minnesota	4	0	0	3	2	0	2	3	3	3	20	Distributed
Mississippi	4	0	1	0	0	0	0	3	3	2	13	Consolidated
Missouri	4	0	0	0	0	0	2	3	3	3	15	Distributed
Montana	4	2	0	3	0	0	2	3	3	4	21	Distributed
Nebraska	4	0	0	0	0	0	2	3	3	4	16	Distributed
Nevada	4	0	0	0	2	0	2	0	0	0	8	Consolidated

*continued...*



Table 5. (Continued)

State	Higher Education	Early Childhood Education	Adult Basic Education	Vocational Education	Teacher Credentialing	P-20 Council	Labor Relations	District Types	District Boundaries	Students per District	Total Points	Component Type
New Hampshire	4	2	0	3	0	0	2	0	3	4	18	Distributed
New Jersey	4	0	1	0	0	3	2	3	3	3	19	Distributed
New Mexico	4	2	1	0	2	3	2	0	3	2	19	Distributed
New York	0	0	0	3	0	0	2	3	3	2	13	Consolidated
North Carolina	4	2	1	0	0	0	0	3	3	0	13	Consolidated
North Dakota	4	0	0	0	2	3	0	3	3	4	19	Distributed
Ohio	4	0	1	0	0	0	2	3	3	3	16	Distributed
Oklahoma	4	0	1	3	0	0	2	3	3	4	20	Distributed
Oregon	4	0	0	0	2	0	2	0	3	2	13	Consolidated
Pennsylvania	4	0	0	0	0	0	2	3	3	2	14	Consolidated
Rhode Island	4	0	0	0	0	0	2	0	3	1	10	Consolidated
South Carolina	4	0	0	3	0	0	0	3	3	0	13	Consolidated
South Dakota	4	0	1	0	0	0	0	0	3	4	12	Consolidated
Tennessee	4	0	1	0	0	0	0	3	3	1	12	Consolidated
Texas	4	0	1	0	2	0	0	3	3	1	14	Consolidated
Utah	4	2	0	3	0	0	0	0	3	0	12	Consolidated
Vermont	0	2	0	0	2	3	2	3	3	4	19	Distributed
Virginia	4	0	0	0	0	0	0	3	3	0	10	Consolidated
Washington	4	2	1	3	2	0	2	0	3	2	19	Distributed
West Virginia	4	2	0	3	0	0	0	0	0	1	10	Consolidated
Wisconsin	4	0	1	3	0	0	2	3	3	3	19	Distributed
Wyoming	4	0	1	3	2	0	0	3	3	3	19	Distributed

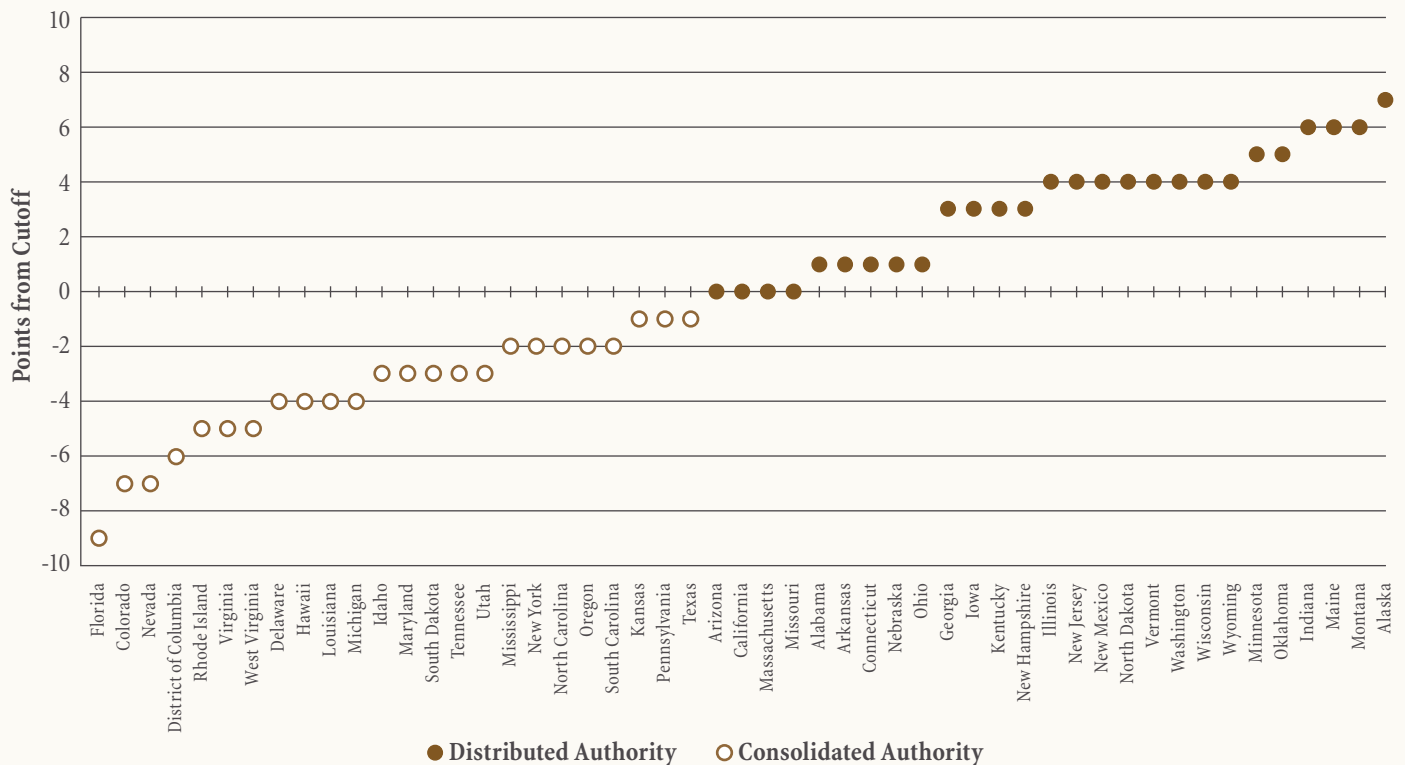
Note: For distribution of authority, we set a cut score of 15. States that scored less than 15 received a “consolidated” designation. States that scored 15 or more received a “distributed” designation.



Of the fifty states, Florida has the most consolidated system of education governance, with authority overwhelmingly concentrated in the state board of education and the state’s few large school districts. Although the Sunshine State has a separate governing body for four-year universities and another for labor relations, almost all other education-related matters are overseen by the SBE, including community colleges, early childhood education, vocational education, and adult basic education. Moreover, Florida’s school districts are large and uniformly defined under state law (meaning there is only one type of district). Like Florida, Colorado and Nevada are also relatively consolidated. Both grant their SBE authority over all types of education except higher education.

At the other end of the spectrum, Alaska has the most distributed system of governance (see Figure 2), with authority over higher education, vocational education, and adult basic education parceled out to the Board of Regents, the Commission on Postsecondary Education, and the Department of Labor and Workforce Development respectively (and no P–20 council to coordinate their activities). Maine and Montana also have distributed systems; like Alaska, their state boards of education do not have authority over higher education, vocational education, adult education, or labor relations (and neither has authority over early childhood education). Moreover, all three (very rural) states have a plethora of small school districts that are not necessarily coterminous with municipal boundaries and that may be variously defined under state law. Kentucky, another distributed state, has opted for a model where every school is effectively its own district (see *Whither the School District?*, page 36).

Figure 2. Which states consolidate—or distribute—authority among institutions?





There are some commonalities in the ways states consolidate authority. For example, thirty-two states and the District of Columbia give their state boards of education authority over preschool, thirty-one states and the District give them authority over vocational education, and twenty-seven states and the District give them authority over adult basic education. In other areas, however, most states tend to distribute authority. For example, just five SBEs have total authority over higher education, and only Delaware gives its SBE authority over all levels of education (from pre-K to adult basic). Forty-nine states distribute at least some authority over different types of education among multiple agencies, which may explain why forty-two of them have established P-16/P-20 councils to improve interagency coordination (with decidedly mixed results).

## Q&A:

### Which states give boards of education authority over higher education?

Delaware | Idaho | Michigan | New York | Vermont

Most of the states with the fewest students per district (the top quintile) are sparsely populated states in the Midwest and Mountain West; while a majority of the states with the most students per district (the bottom quintile) are located in the South, where countywide districts are common. Regardless of location, however, most states take a haphazard approach to local administration. For example, thirty-four states have more than one type of school district as defined by state law, and forty-five have at least some school districts that are not coterminous with municipal boundaries.<sup>19</sup>

## WHITHER THE SCHOOL DISTRICT? CHANGING THE POWER DYNAMIC IN KENTUCKY

In most states, the school district is the core of education governance, where leaders translate and implement state mandates and operate the local schools. But Kentucky takes a different approach due to policies that empower the state department of education and individual schools rather than districts.

In 1990, in response to a ruling by the Kentucky Supreme Court that deemed the commonwealth's education system unconstitutional by virtue of both its inequity and its inadequacy, the Kentucky

Education Reform Act (KERA) established a new school system. Under KERA, several aspects of school administration usually within the purview of district leaders were transferred to newly established building-level governing bodies called school councils, which consist of three teachers, two parents, and the principal. These councils develop curriculum, adopt instructional materials, and hire and fire school staff (among other activities). At the same time, oversight of some other decisions traditionally made by districts was transferred to the state. For instance, a statewide commission

*continued...*



**Whither the School District? Changing the Power Dynamic in Kentucky (Continued)**

must approve the textbooks chosen by each school council, and all districts must use a statewide teacher evaluation instrument rather than developing their own.

Unsurprisingly, district superintendents have misgivings about their loss of authority. As one confided, “I really lament that curriculum has become a school-based construct, because we have a lot of intra-district mobility where I am,” so students who change schools could change curricula almost entirely. While most districts make an effort to coordinate textbook adoption, he observed, “there’s a lot of variety from school to school within large districts.”

Reaction to the statewide evaluation instrument is also mixed, with district officials complaining of yet another burdensome mandate. “I know the state is doing what they think they need to do, but effectively there are just a ton of state-level requirements,” a superintendent observed. And as one state board of education member admitted, “The big drawback [of the evaluation instrument] is that...it is very time-consuming to implement. ... I worry about how [principals] will be able to manage the burden.” Despite these reservations, many Kentuckians are

supportive of school councils and, in particular, of principals’ authority over hiring. As one SBE member observed, “When I was hired [as a teacher] in 1975... the superintendent interviewed me and sent me down to the school I was to work in...to introduce myself to the principal.” Consequently, “the principal had no voice, and certainly no teachers or parents had any voice, in my hiring.” That is no longer the case now that every teacher is hired by the principal after “meaningful consultation” with the school council.

As Kentucky demonstrates, reducing the district’s authority has a number of potential benefits, but it also creates new challenges. For instance, due to high turnover among parents and teachers, many schools struggle to find and keep leaders with the capacity to make informed decisions. As one respondent explained, every few years “kids graduate and move on, and then we get a new set of parents” who must be brought up to speed. Thus, the challenge of engaging the community in the business of running a school is “never-ending.” Despite the challenges, this “hollowing out” of the district has clear advantages and could be one answer to critics who lament the inability of school districts to take decisive and expeditious action.

### **Component 3: To what degree can the public participate in the education policymaking process?**

Political scientists suggest that electing leaders rather than appointing them, holding state and local elections on the same day as national elections, and requiring that various groups be represented on the state board are all potential ways to encourage public participation. Participation can be restricted if leaders are appointed, elections are held on days that traditionally do not have high voter turnout, or boards do not have representation requirements and may therefore be dominated by single interests.

Table 6 shows the variation in the degree to which states encourage the public to participate in policymaking. States generally have lower total scores for Degree of Participation than for Level of Control or Distribution of Authority because the methods of encouraging participation captured in our metric are simply not widely practiced. For example, only one state has a gender requirement for its state board, and only four states elect their school boards on partisan ballots. For an explanation of the scoring for this component (see Table 3, page 21).



**Table 6. Scores for Degree of Participation**

State	Regional Representation	Partisan Representation	External Representation	Gender Representation	Student Representation	Presence of CSSO	CSSO Selection Process	CSSO Election Cycle	CSSO Partisan Election	SBE Selection Process	SBE Election Cycle	SBE Partisan Election	Superintendent Selection Process	Local School Board Selection Process	Local School Board Election Cycle	Local School Board Partisan Election	Total Points	Component Type
Alabama	2	0	0	0	0	2	0	0	0	2	1	1	0	2	0	1	11	Participatory
Alaska	2	2	1	0	1	2	0	0	0	0	0	0	0	2	0	0	10	Participatory
Arizona	0	0	2	0	0	0	2	1	1	0	0	0	0	2	1	0	9	Participatory
Arkansas	2	0	0	0	0	2	0	0	0	0	0	0	0	2	0	0	6	Restricted
California	0	0	0	0	2	2	2	1	0	0	0	0	0	2	0	0	9	Participatory
Colorado	2	0	0	0	0	2	0	0	0	2	1	1	0	2	0	0	10	Participatory
Connecticut	0	0	0	0	1	2	0	0	0	0	0	0	0	2	0	1	6	Restricted
Delaware	0	0	0	0	0	2	0	0	0	0	0	0	0	2	0	0	4	Restricted
District of Columbia	2	0	0	0	1	2	0	0	0	2	1	0	0	0	0	0	8	Participatory
Florida	0	0	0	0	0	2	0	0	0	0	0	0	2	2	1	0	7	Restricted
Georgia	2	0	0	0	0	2	2	1	1	0	0	0	0	2	0	0	10	Participatory
Hawaii	2	0	1	0	1	2	0	0	0	0	0	0	0	0	0	0	6	Restricted
Idaho	0	0	0	0	0	0	2	1	1	0	0	0	0	2	0	0	6	Restricted
Illinois	2	2	0	0	0	2	0	0	0	0	0	0	0	2	0	0	8	Participatory
Indiana	2	2	2	0	0	0	2	1	1	0	0	0	0	2	1	0	13	Participatory
Iowa	0	0	0	0	1	2	0	0	0	0	0	0	0	2	0	0	5	Restricted
Kansas	2	0	0	0	0	2	0	0	0	2	1	1	0	2	0	0	10	Participatory
Kentucky	2	0	0	0	0	2	0	0	0	0	0	0	0	2	1	0	7	Restricted
Louisiana	2	0	0	0	0	2	0	0	0	2	0	0	0	2	1	1	10	Participatory
Maine	2	0	0	0	1	2	0	0	0	0	0	0	0	2	0	0	7	Restricted
Maryland	0	0	0	0	2	2	0	0	0	0	0	0	0	1	1	0	6	Restricted
Massachusetts	0	0	2	0	2	0	0	0	0	0	0	0	0	2	0	0	6	Restricted
Michigan	0	0	1	0	0	1	0	0	0	2	1	1	0	2	1	0	9	Participatory
Minnesota	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	2	Restricted
Mississippi	2	0	2	0	0	2	0	0	0	0	0	0	1	1	0	0	8	Participatory

*continued...*



Table 6. (Continued)

State	Regional Representation	Partisan Representation	External Representation	Gender Representation	Student Representation	Presence of CSSO	CSSO Selection Process	CSSO Election Cycle	CSSO Partisan Election	SBE Selection Process	SBE Election Cycle	SBE Partisan Election	Superintendent Selection Process	Local School Board Selection Process	Local School Board Election Cycle	Local School Board Partisan Election	Total Points	Component Type
Missouri	2	2	0	0	0	2	0	0	0	0	0	0	0	2	0	0	8	Participatory
Montana	2	2	2	0	1	1	2	1	1	0	0	0	0	2	0	0	14	Participatory
Nebraska	2	0	0	0	0	2	0	0	0	2	1	0	0	2	1	0	10	Participatory
Nevada	2	0	2	0	1	1	0	0	0	1	1	0	0	2	1	0	11	Participatory
New Hampshire	2	0	0	0	0	2	0	0	0	0	0	0	0	2	0	0	6	Restricted
New Jersey	2	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	5	Restricted
New Mexico	2	0	0	0	0	0	0	0	0	2	1	1	0	2	0	0	8	Participatory
New York	2	0	0	0	0	2	0	0	0	0	0	0	0	1	0	0	5	Restricted
North Carolina	2	0	1	0	1	2	2	1	1	0	0	0	0	2	0	0	12	Participatory
North Dakota	2	0	2	0	0	0	2	1	0	0	0	0	0	2	0	0	9	Participatory
Ohio	2	0	0	0	0	2	0	0	0	1	1	0	0	2	0	0	8	Participatory
Oklahoma	2	0	0	0	0	0	2	1	1	0	0	0	0	2	0	0	8	Participatory
Oregon	2	0	0	0	0	2	0	0	0	0	0	0	0	2	0	0	6	Restricted
Pennsylvania	0	0	0	0	1	1	0	0	0	0	0	0	0	2	0	1	5	Restricted
Rhode Island	0	0	0	0	1	2	0	0	0	0	0	0	0	2	1	0	6	Restricted
South Carolina	2	0	0	0	0	2	2	1	1	0	0	0	0	1	0	0	9	Participatory
South Dakota	0	0	0	0	0	2	0	0	0	0	0	0	0	2	0	0	4	Restricted
Tennessee	2	2	0	0	2	2	0	0	0	0	0	0	0	2	0	0	10	Participatory
Texas	2	0	0	0	0	2	0	0	0	2	1	1	0	2	0	0	10	Participatory
Utah	2	0	1	0	0	2	0	0	0	2	1	0	0	2	1	0	11	Participatory
Vermont	0	0	0	0	2	2	0	0	0	0	0	0	0	2	0	0	6	Restricted
Virginia	0	0	0	0	0	2	0	0	0	0	0	0	0	1	0	0	3	Restricted
Washington	2	0	2	0	1	0	2	1	0	0	0	0	0	2	0	0	10	Participatory
West Virginia	2	2	0	0	0	1	0	0	0	0	0	0	0	2	0	0	7	Restricted
Wisconsin	0	0	0	0	0	0	2	1	0	0	0	0	0	2	0	0	5	Restricted
Wyoming	2	2	2	0	0	2	2	1	1	0	0	0	0	2	1	0	15	Participatory

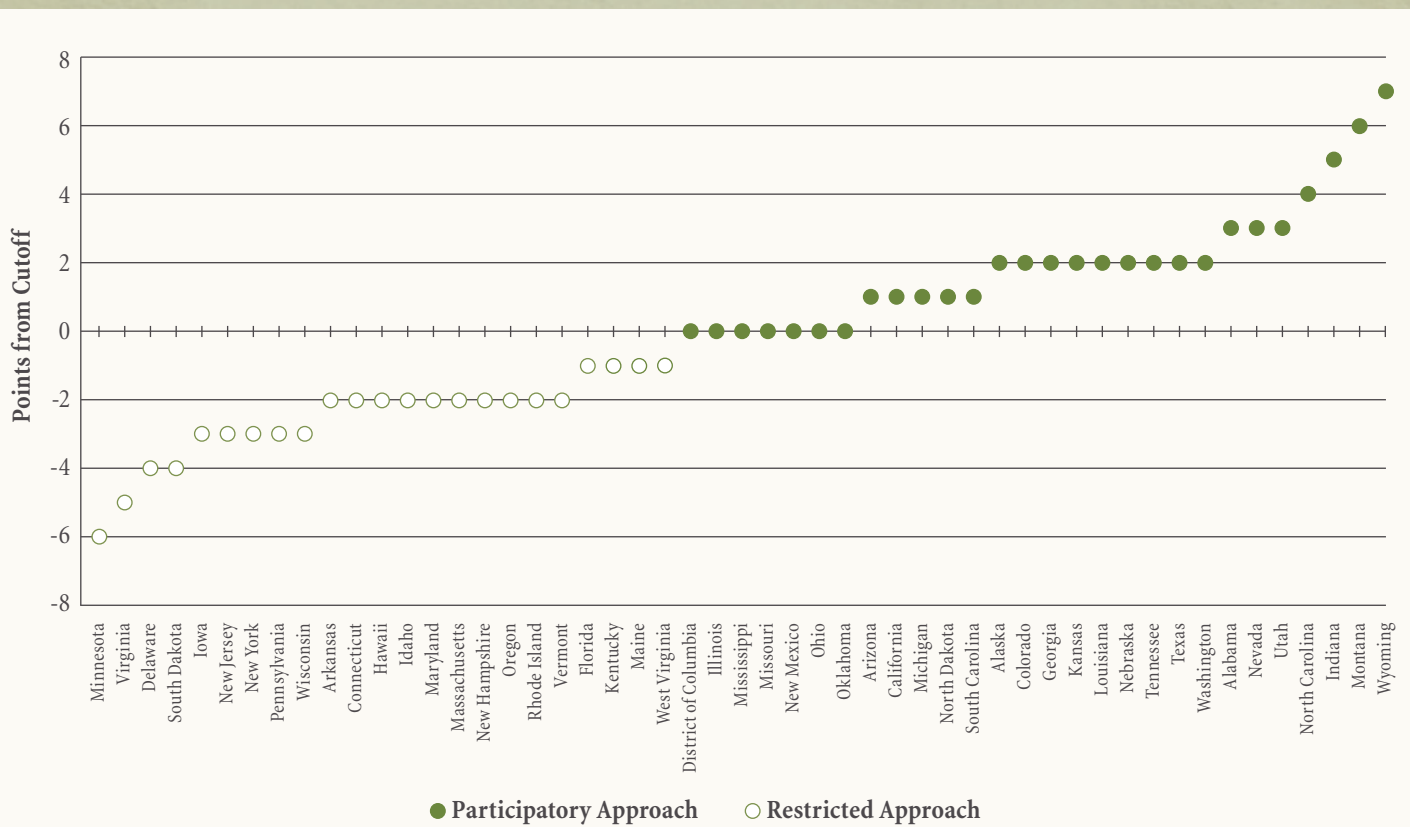
Note: For degree of participation, we set a cut score of 8. States that scored less than 8 received a “restricted” designation. States that scored 8 or more received a “participatory” designation.



The most restrictive state in the union is Minnesota, which has adopted just one of sixteen practices that encourage public participation: electing local school boards. Minnesota is the only state with no state board of education and an appointed CSSO, and both its state and local elections are off-cycle and nonpartisan (both qualities that discourage voter turnout). In contrast, states such as Wyoming, Montana, and Indiana encourage public participation. For example, in all three states, the CSSO is elected on a general election cycle, and in Wyoming and Indiana, local elections are also on-cycle. Finally, although the state board of education is appointed in each of these states, each also has a number of representation requirements designed to broaden participation.

As Figure 3 shows, although there is significant variation in the degree to which different states promote public participation in the policymaking process, the majority of states have adopted a combination of participatory and restrictive policies.

**Figure 3. Which states encourage—or restrict—public participation in policymaking?**





Most states combine statewide elections with appointments, although their approach to doing so varies. For example, in eleven states and the District of Columbia, most or all members of the SBE are elected, but the CSSO is appointed.<sup>20</sup> Similarly, in thirteen states, the CSSO is elected (see *The Case against Electing a CSSO on a Partisan Ballot*, page 42), but most or all members of the SBE are appointed (and in seven of them, the CSSO sits on the board). Finally, in the twenty-four states where both the SBE and the CSSO are appointed, those appointments are made by elected officials or by leaders appointed by elected officials.<sup>21</sup>

## Q&A:

### Which states elect most or all of their state boards of education?

Alabama | Colorado | District of Columbia\* | Kansas | Louisiana | Michigan  
Nebraska | Nevada | New Mexico\* | Ohio | Texas | Utah

\*SBE is advisory only.

A closer look at the composition of state boards also reveals that states have different priorities when it comes to representation. For example, ten of the eleven states that elect most or all of their SBE require that different regions of the state be represented, while all seven of the states with no membership or representation requirements appoint their SBE. For many states, representational requirements seem to serve as an alternative to elections. For example, sixteen of the seventeen states that require a student representative, eleven of the fourteen that require representation from some sort of outside organization (such as the military), and all eight states that require some sort of partisan balance appoint their SBE.

Far less variation is apparent at the local level, where forty-six states elect school boards, which then appoint local superintendents.<sup>22</sup> This would seem to suggest that local education officials are more directly accountable to the public than state officials. However, this conclusion is not so obvious when the timing of local elections is taken into consideration. Just twelve states elect local school boards on the same day as the national general election, which has the potential to increase voter turnout. Twenty-three of the twenty-four states that elect either their SBE or their CSSO do so in conjunction with national general elections. Moreover, even in the states that appoint both their SBE and CSSO, the individual responsible for these appointments (i.e., the governor) is usually elected on a general election cycle. Consequently, while state-level officials are generally less likely to be elected than local officials, those who are elected are almost certainly more accountable to the public than their local counterparts—and one could make the case that state-level appointees are more accountable too.





## THE CASE AGAINST ELECTING THE CSSO ON A PARTISAN BALLOT

For decades, education experts have bemoaned the toxic effect of partisan politics on public education, yet few have been willing to draw the logical conclusion: When it comes to education, there can be such a thing as too much participation. Fresh evidence for this position comes from Indiana, one of three states where a chief state school officer (CSSO) is elected via an on-cycle, partisan election and is a full voting member of the state board of education. In the past few years, political warfare between Democrat State Superintendent Glenda Ritz and Republican Governors Mitch Daniels and Mike Pence has escalated following her surprise victory over incumbent Republican Tony Bennett in 2012. Among the lowlights: a lawsuit filed by Ritz against her fellow board members; a bill to remove Ritz as chair of the SBE, which passed the Indiana House of Representatives; and the creation of a separate education agency by Pence that critics say is intended to undermine the state superintendent's authority. The sustained turmoil created confusion about the future of Indiana's statewide assessment system, leaving educators largely clueless about how they and their students will be assessed.

One insider attributed the dysfunction to the lack of alignment among the governor, state superintendent, and state board. Without alignment, he said, "You don't get much done," because "nobody is really sure who leads education policy...and it's really challenging for school districts and cities to know what to do." As another put it, when the governor and state superintendent are not from the same party, "it's just not workable" because of their

ideological differences. "It doesn't matter if they are both Democrats, both Republicans, or both Martians," he argued. "As long as they are from the same party it works better from an educational perspective."

Indiana's politics haven't always been dysfunctional. Before the 2012 election, there was "a joint effort between the governor and the state superintendent," according to one respondent, "because they were from the same party and they shared the same vision for education." This collaboration also included the state board, which was appointed by the governor. A politically aligned governor, superintendent, and state board engaged in a "relatively coordinated effort" that resulted in "massive reforms," including significant changes to collective bargaining laws and an unprecedented expansion of school choice.

Indiana's current partisan dysfunction contrasts sharply with the policymaking environment in several states that do not elect their CSSO, or that do so with a nonpartisan ballot. In Ohio, for example, an SBE consisting of eleven elected members and eight appointees was responsible for appointing State Superintendent Richard Ross, a former education policy advisor of Governor John Kasich. As one SBE member described it, "the board works closely with the state superintendent... and he works closely with the governor's office." This alignment even extends to the state legislature, because "the House education chair and the Senate education chair [are] ex officio members" of the board.



*continued...*



**The Case against Electing the CSSO on a Partisan Ballot (*Continued*)**



Similarly, a board member from California reported close alignment between Governor Jerry Brown, his appointed SBE, and State Superintendent Tom Torlakson, who was elected on a nonpartisan ballot. According to the board member, there are “no major philosophical differences” between them. “You may not like our policies,” he argued, “but it’s pretty clear who’s in charge and how it works.” And because everyone is on the same page, there is “coherent policy at the state level.”

Coherent leadership does not always result in good policy. But our interviewees report that it’s nearly impossible to enact good policy without

it. Consequently, if avoiding deadlock is the goal, appointing the CSSO or electing him or her on a nonpartisan ballot seems preferable to a partisan election, which is more likely to lead to political or ideological conflict among leaders in the state. In the words of one respondent, “Regardless of who is governor, it’s important for the governor to work with people he or she trusts to implement his or her vision.”





# Governance Types



Andrew Jackson

Andrew Jackson





# Governance Types

Up to this point, we have considered how states compare to one another along three separate dimensions of education governance. Yet the sum of these parts can shed additional light on how they interact with one another and provide the reader with further insight into patterns of state-level governance. Accordingly, this section combines our various component types into eight classes, which constitute our taxonomy of governance (see Table 7). We name each type for the characteristics it has in common with a famous political leader or thinker.

**Table 7. State Governance Types**

State	Level of Control		Distribution of Authority		Degree of Participation		Governance Type
Alabama	12	State-centric	16	Distributed	11	Participatory	Lockean
Alaska	16	Local-centric	22	Distributed	10	Participatory	Jeffersonian
Arizona	20	Local-centric	15	Distributed	9	Participatory	Jeffersonian
Arkansas	16	Local-centric	16	Distributed	6	Restricted	Burkean
California	15	Local-centric	15	Distributed	9	Participatory	Jeffersonian
Colorado	20	Local-centric	8	Consolidated	10	Participatory	Jacksonian
Connecticut	11	State-centric	16	Distributed	6	Restricted	Madisonian
Delaware	14	State-centric	10	Consolidated	4	Restricted	Hamiltonian
District of Columbia	11	State-centric	9	Consolidated	8	Participatory	Lincolnian
Florida	16	Local-centric	6	Consolidated	7	Restricted	Platonist
Georgia	8	State-centric	18	Distributed	10	Participatory	Lockean
Hawaii	2	State-centric	11	Consolidated	6	Restricted	Hamiltonian
Idaho	15	Local-centric	12	Consolidated	6	Restricted	Platonist
Illinois	19	Local-centric	19	Distributed	8	Participatory	Jeffersonian
Indiana	14	State-centric	20	Distributed	13	Participatory	Lockean
Iowa	17	Local-centric	18	Distributed	5	Restricted	Burkean
Kansas	17	Local-centric	14	Consolidated	10	Participatory	Jacksonian
Kentucky	14	State-centric	18	Distributed	7	Restricted	Madisonian
Louisiana	15	Local-centric	11	Consolidated	10	Participatory	Jacksonian
Maine	19	Local-centric	21	Distributed	7	Restricted	Burkean
Maryland	11	State-centric	11	Consolidated	6	Restricted	Hamiltonian

*continued...*



Table 7. (Continued)

State	Level of Control		Distribution of Authority		Degree of Participation		Governance Type
Massachusetts	14	State-centric	15	Distributed	6	Restricted	Madisonian
Michigan	14	State-centric	11	Consolidated	9	Participatory	Lincolnian
Minnesota	23	Local-centric	20	Distributed	2	Restricted	Burkean
Mississippi	13	State-centric	13	Consolidated	8	Participatory	Lincolnian
Missouri	21	Local-centric	15	Distributed	8	Participatory	Jeffersonian
Montana	23	Local-centric	21	Distributed	14	Participatory	Jeffersonian
Nebraska	24	Local-centric	16	Distributed	10	Participatory	Jeffersonian
Nevada	13	State-centric	8	Consolidated	11	Participatory	Lincolnian
New Hampshire	22	Local-centric	18	Distributed	6	Restricted	Burkean
New Jersey	12	State-centric	19	Distributed	5	Restricted	Madisonian
New Mexico	9	State-centric	19	Distributed	8	Participatory	Lockean
New York	16	Local-centric	13	Consolidated	5	Restricted	Platonist
North Carolina	2	State-centric	13	Consolidated	12	Participatory	Lincolnian
North Dakota	25	Local-centric	19	Distributed	9	Participatory	Jeffersonian
Ohio	18	Local-centric	16	Distributed	8	Participatory	Jeffersonian
Oklahoma	12	State-centric	20	Distributed	8	Participatory	Lockean
Oregon	19	Local-centric	13	Consolidated	6	Restricted	Platonist
Pennsylvania	13	State-centric	14	Consolidated	5	Restricted	Hamiltonian
Rhode Island	11	State-centric	10	Consolidated	6	Restricted	Hamiltonian
South Carolina	9	State-centric	13	Consolidated	9	Participatory	Lincolnian
South Dakota	21	Local-centric	12	Consolidated	4	Restricted	Platonist
Tennessee	10	State-centric	12	Consolidated	10	Participatory	Lincolnian
Texas	17	Local-centric	14	Consolidated	10	Participatory	Jacksonian
Utah	18	Local-centric	12	Consolidated	11	Participatory	Jacksonian
Vermont	16	Local-centric	19	Distributed	6	Restricted	Burkean
Virginia	7	State-centric	10	Consolidated	3	Restricted	Hamiltonian
Washington	11	State-centric	19	Distributed	10	Participatory	Lockean
West Virginia	9	State-centric	10	Consolidated	7	Restricted	Hamiltonian
Wisconsin	13	State-centric	19	Distributed	5	Restricted	Madisonian
Wyoming	26	Local-centric	19	Distributed	15	Participatory	Jeffersonian



## Jeffersonian States

*“Our country is too large to have all its affairs directed by a single government.”*

Authority concentrated  
at the local level

Authority distributed  
among institutions

Public participation  
encouraged

ALASKA | ARIZONA | CALIFORNIA | ILLINOIS | MISSOURI | MONTANA  
NEBRASKA | NORTH DAKOTA | OHIO | WYOMING



The ten Jeffersonian states include the four with the strongest local control (Wyoming, North Dakota, Nebraska, and Montana), the three in which authority is most widely distributed (Alaska, North Dakota, and Montana), and the two in which there is the greatest public participation in the policymaking process (Wyoming and Montana), making them the largest (and arguably the most distinctive) group in our study.

Like their namesake, who claimed that America was “too large to have all its affairs directed by a single government,” Jeffersonian states generally mistrust the authority of distant capitals. Accordingly, all ten states give local districts at least some authority over the scope of collective bargaining, and nine give districts total authority over textbooks and the design of teacher evaluations, as well as partial authority over tax rates and district boundaries. Similarly, like our third president (who lauded the “salutary distribution of powers” under the Constitution), the states in this group prefer governing arrangements that distribute authority rather than those that consolidate power in a few hands. Accordingly, all ten have a separate body governing higher education, and eight have a separate body governing labor relations.

Just as Jefferson placed great faith in the virtue of the “yeoman farmers” of early America, the states in this group favor greater democratic participation. Accordingly, eight states have some sort of regional balance requirement for their state board of education (perhaps reflecting their large geographic area and relatively low population density), and seven of the ten elect either their SBE or their CSSO. In Wyoming, some legislators are calling for a change to a governor-appointed CSSO after years of conflict between elected state superintendents and other state-level actors. Never one to place his faith in the wisdom of the ruling class, a living Jefferson would likely be unsympathetic to their concerns.





## Hamiltonian States

*“It has been observed that a pure democracy if it were practicable would be the most perfect government. Experience has proved that no position is more false than this.”*

Authority concentrated  
at the state level

Authority consolidated  
in a few institutions

Public participation  
discouraged

DELAWARE | HAWAII | MARYLAND | PENNSYLVANIA | RHODE ISLAND  
VIRGINIA | WEST VIRGINIA



Like the famous co-author of *The Federalist Papers*, the seven Hamiltonian states are comfortable with governing arrangements in which authority is concentrated in an energetic central government. Accordingly, all seven grant their SEAs the authority to take over low-performing districts and schools and require that districts use student performance data in teacher evaluations. Moreover, five of the seven also require annual evaluations (rather than leaving the frequency of evaluations up to the district), and six determine district boundaries at the state level (another decision over which districts in other states have some discretion).

“The executive power is more easily confined when it is one,” argued Hamilton in *Federalist* 70. Accordingly, in most Hamiltonian states, the SBE has consolidated authority over most types of education. Five states of the seven grant their SBE authority over preschool and vocational education, six grant their SBE authority over adult basic education, and all seven have P-16/P-20 councils. Finally, all seven also limit public participation by appointing both their SBE and CSSO, perhaps because they share Hamilton’s decidedly skeptical view of direct democracy. “It has been observed that a pure democracy if it were practicable would be the most perfect government,” Hamilton wrote, yet “experience has proved that no position is more false than this.”





## Lincolnian States

*“Public sentiment is everything. With public sentiment, nothing can fail; without it nothing can succeed.”*

Authority concentrated  
at the state level

Authority consolidated  
in a few institutions

Public participation  
encouraged

DISTRICT OF COLUMBIA | MICHIGAN | MISSISSIPPI | NEVADA  
NORTH CAROLINA | SOUTH CAROLINA | TENNESSEE

According to Abraham Lincoln, “a majority held in restraint by constitutional checks and limitations, and always changing easily with deliberate changes of popular opinions and sentiments, is the only true sovereign of a free people.” Accordingly, five Lincolnian states and the District of Columbia elect either their SBE or their CSSO, and five states plus the District encourage public participation by holding statewide elections on a general election cycle. In North Carolina, state legislators are also considering a bill to employ partisan ballots in local school board elections (another practice that encourages participation).

As it was at the federal level during the Civil War, authority is atypically consolidated in Lincolnian states, with four states and the District of Columbia granting their SBEs authority over preschool and vocational education. Additionally, state-level leaders in these states have relatively greater authority over district affairs than many of their counterparts. For example, all Lincolnian states plus the District of Columbia require that teacher evaluations include evidence of student learning, and five states and the District give the state government the authority to take over poorly performing districts or schools.

This consolidation has provoked conflict in some states. For example, in Michigan, the Detroit Public Schools board has repeatedly voted to remove the state-appointed emergency manager and return the district to local control. Similarly, the continued growth of Tennessee’s state-run Achievement School District has sparked opposition from parents, teachers, and local politicians that is raising new challenges for state-level leaders. As Lincoln put it when confronted with similar challenges to his authority, “Public sentiment is everything. With public sentiment, nothing can fail; without it nothing can succeed.”





## Lockean States

*“Men being, as has been said, by nature, all free, equal and independent, no one can be put out of this estate, and subjected to the political power of another, without his own consent.”*

Authority concentrated  
at the state level

Authority distributed  
among institutions

Public participation  
encouraged

ALABAMA | GEORGIA | INDIANA | NEW MEXICO | OKLAHOMA | WASHINGTON

In his *Second Treatise on Government*, John Locke argued that individual rights could never be secure without a government to protect them. Similarly, to protect students’ right to an adequate education, all six Lockean states grant their SEA the authority to take over low-performing districts and schools. (In Georgia, the legislature recently voted to expand this authority by giving the CSSO the right to create a statewide turnaround district including up to one hundred schools. Voters will decide whether to approve this change in 2016.) Additionally, every state in this group requires that teacher evaluations be conducted annually, and five states require that these evaluations include evidence of student learning (another decision that is determined locally in many states).

Like the framers of the Constitution, Locke believed that government authority should be divided among institutions, much as the six states in this group distribute authority over education (rather than granting all authority to their SBE). Accordingly, all six Lockean states have a separate governing board for higher education, and most also have separate boards for preschool, vocational education, adult basic education, teacher credentialing, and labor relations. Finally, like the inventor of the “social contract,” the states in this group believe that a government’s legitimacy is derived from the consent of the governed. Thus, this sextet elect either their SBE or their CSSO on a general election cycle (which increases voter turnout), and all have a regional balance requirement for their SBE to ensure that every part of the state is adequately represented.





## Burkean States

*“To be attached to the subdivision, to love the little platoon we belong to in society is the first principal of public affections.”*

Authority concentrated  
at the local level

Authority distributed  
among institutions

Public participation  
discouraged

ARKANSAS | IOWA | MAINE | MINNESOTA | NEW HAMPSHIRE | VERMONT



“To be attached to the subdivision, to love the little platoon we belong to in society is the first principal of public affections” wrote Edmund Burke, who argued that his native England should respect the rights of its American colonies, rather than abusing its authority. Like Burke, the six states in this group see the dangers of an overbearing central government. Accordingly, all six give districts discretion when it comes to adopting textbooks, determining the frequency of teacher evaluations, and setting tax rates. (For example, Minnesota school districts rely almost exclusively on local bond measures for facilities funding, and a number of districts have approved or rejected such measures in the past year.)

Burke favored a mixed system of government, and the states in this group see similar advantages to distributing authority among institutions. Five of the six limit the authority of their SBE by having separate governing boards for higher education, and five have separate boards for vocational education. Moreover, all six states have smaller than average local school districts, based on the number of students per district. In Vermont, school districts are so tiny that they are widely viewed as inefficient, and the governor has signed a law to encourage their consolidation.

Finally, the states in this group are skeptical of democracy, much like Burke, who believed the democratic majority “capable of exercising the most cruel oppressions upon the minority.” Accordingly, no state in this group elects its SBE or CSSO, and all six have nonpartisan state and local elections that are held during non-general election cycles (both practices that discourage participation).





## Madisonian States

*“In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.”*

Authority concentrated  
at the state level

Authority distributed  
among institutions

Public participation  
discouraged

CONNECTICUT | KENTUCKY | MASSACHUSETTS | NEW JERSEY | WISCONSIN



Like the lead architect of the Constitution, the five Madisonian states see the necessity of central authority. Accordingly, all five grant their state agencies the authority to take over low-performing districts and require that teacher evaluations include evidence of student learning, and only Wisconsin allows an entity other than the state to authorize charters. In New Jersey, the state has effectively run the Newark School District (and other school districts) since 1994 and has supported efforts to expand school choice despite fierce local opposition.

In keeping with Madison’s admonition that “ambition must be made to counteract ambition,” the states in this group are loath to grant any single institution too much authority. Accordingly, none of the five grants its SBE authority over higher education, and only one grants it authority over labor relations. Additionally, like their namesake, these states are wary of the “tyranny of the majority.” Consequently, four of the five appoint both their SBE and CSSO. And in New Jersey, even some local school board members are appointed (rather than elected) by some combination of the mayor, the county superintendent, the SBE, and the CSSO. Finally, four of the five states in this group hold local elections off-cycle, effectively discouraging public participation.





## Jacksonian States

*“It is to be regretted that the rich and powerful too often bend the acts of government to their selfish purposes.”*

Authority concentrated  
at the local level

Authority consolidated  
in a few institutions

Public participation  
encouraged

COLORADO | KANSAS | LOUISIANA | TEXAS | UTAH

Like the famous defender of states’ rights, the five Jacksonian states believe in decentralized government. Accordingly, all five give districts authority over tax rates—including Kansas, where the state supreme court recently ruled that the resulting funding disparities were so extreme that they violated the state’s constitution. Additionally, four of the five give districts at least some authority over teacher evaluation design, the scope of collective bargaining, and the creation of district boundaries.

A vigorous proponent of executive authority, Jackson wielded his veto with enthusiasm and used the presidential appointment process to consolidate his power. Similarly, in four states in this group, authority over preschool, vocational education, and either teacher credentialing or labor relations is consolidated under the SBE (although all five have separate boards governing higher education). Additionally, four of the five have fewer, larger school districts than the average state.

Like Jackson, who believed the powerful and well-connected “too often bend the acts of government to their selfish purposes,” the states in this group place their faith in the wisdom and virtue of ordinary citizens. Accordingly, all five elect their SBE, four hold their statewide elections on a general election cycle, and three use a partisan ballot in these elections (all practices that encourage greater public participation). Finally, no state in this group allows the CSSO to sit on the SBE, meaning the authority of the elected board is secure.





## Platonist States

*“There will be no end to the troubles of states, or of humanity itself, until philosophers become kings in this world, or until those we now call kings and rulers really and truly become philosophers.”*

Authority concentrated  
at the local level

Authority consolidated  
in a few institutions

Public participation  
discouraged

FLORIDA | IDAHO | NEW YORK | OREGON | SOUTH DAKOTA



As in Plato’s *Republic*, authority in these states is concentrated in the hands of those deemed fit to govern. Accordingly, four of the five states in this category appoint both their SBE and CSSO and elect their local school boards during non-general election cycles (which typically have lower voter turnout). Four states in this group also give their SBE authority over preschool and teacher credentialing, and all five have a P-16/P-20 council charged with harmonizing the different levels of the education system—much as Plato’s “philosopher kings” were charged with preparing their subjects for effective citizenship.

All five Platonist states allow districts to design their own teacher evaluation instruments, in addition to granting them some authority over taxation, district boundaries, and the scope of collective bargaining. However, only Idaho leaves the decision to collectively bargain up to districts. In New York, advocates of tenure reform have sought to further enhance local control by filing a lawsuit challenging teacher tenure rules, which are currently enshrined in state law.

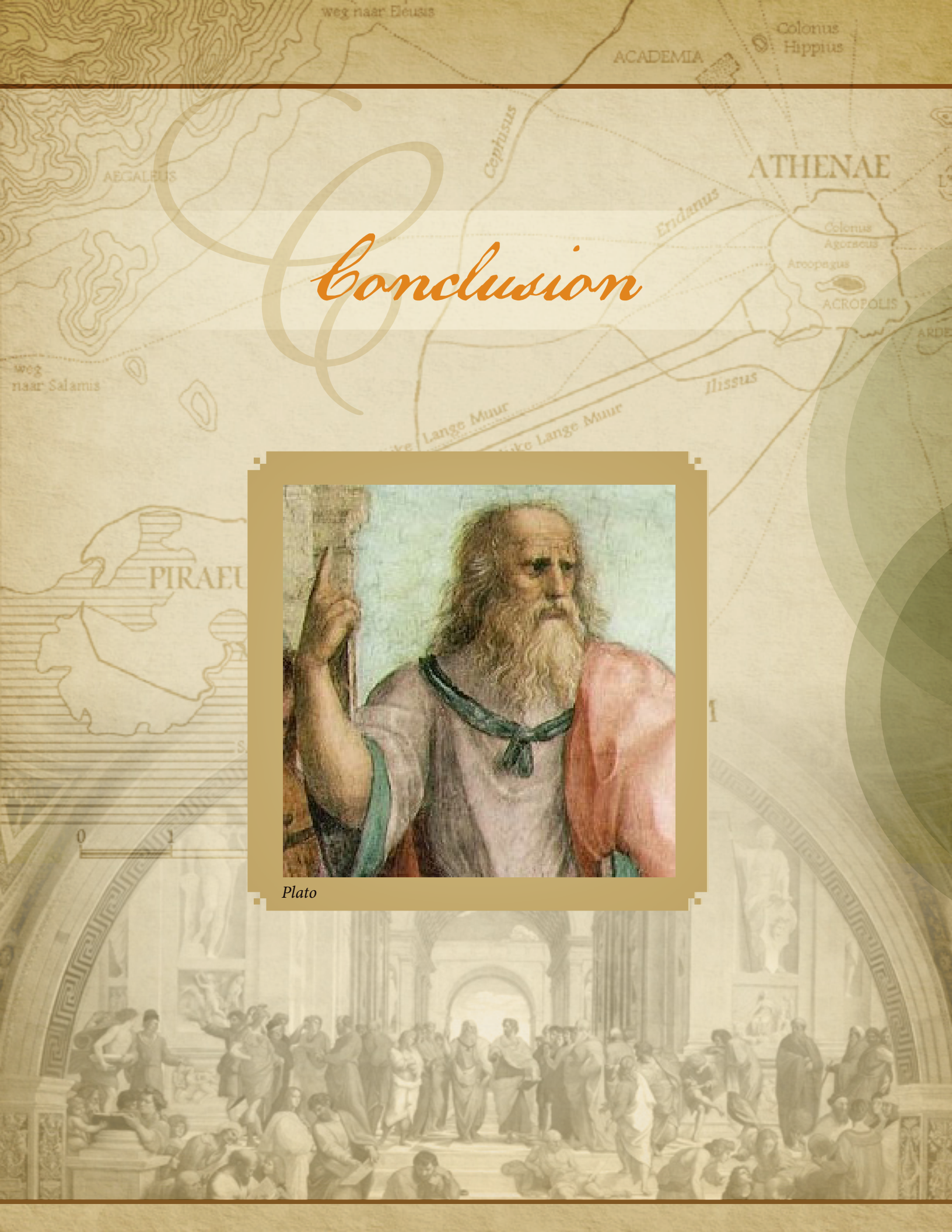




# Conclusion



Plato





# Conclusion

As most of history's greatest political thinkers recognized, every governing system has both strengths and weaknesses. Similarly, no known education governance type is discernibly best for students.

Governance arrangements that concentrate authority at the local level have several advantages. For example, allowing districts to design their own evaluation systems, adopt their own textbooks, and oversee their own school turnarounds gives local leaders the freedom to take local context into account and usually promotes greater public buy-in than a mandate from the state. However, predominantly local control also brings problems. After all, autonomy can become a liability when local leaders lack the will or capacity to prioritize student needs, make decisions based on experience rather than evidence, or allow themselves to be captured by special interests (such as teachers' unions).

Clear advantages also come with consolidating authority among fewer institutions. Streamlining the oversight, operation, and management of the different forms and levels of education can create a more efficient system in which leaders can act swiftly and strategically to coordinate new initiatives (such as the implementation of new K–12 standards that are supposed to signify college readiness). However, problems can also arise in consolidated systems, which may be bureaucratic or inattentive to the needs of special populations overlooked by education “generalists” in a single, multi-purpose agency.

Finally, there are inherent advantages to greater participation, which promotes democratic accountability, increases the level of community engagement, and encourages public debate—all of which can lead to better policy. But greater participation has its downsides. For example, a cacophony of voices may drown out experts or produce gridlock. And there is always a chance that the public ends up electing demagogic or interest-group-supported candidates rather than those who are qualified and public-spirited.

For a variety of reasons, the current trend in most states is toward greater state control. State leaders wary of union influence at the district level have restricted bargaining rights, while those who doubt the capacity of local leaders are championing statewide recovery school districts. Thanks to new federal requirements, state policy now mandates actions that have historically been made (or bargained) locally, such as the use of statewide evaluation instruments. Yet there is nothing inherently superior about a state-mandated teacher evaluation system or a state-run turnaround school, and in some states, these reforms are already creating a backlash without producing better outcomes for students.

Other elements of governance are also attracting attention. For example, many states have created P-20 councils in an attempt to improve interagency coordination (though this represents, at best, a partial solution); others are evaluating structural changes to increase coordination without creating an impenetrable



fortress of red tape. Some states are also considering ways to increase public participation and limit interest group influence through on-cycle elections. However, others seem to be moving in the opposite direction. In several states, bills have gained traction that further restrict participation by making the CSSO an appointed position.

Perhaps the taxonomy herein will aid policymakers in analyzing the role of education governance in their state, or—better yet—inspire them to tackle some of the problems with existing governance arrangements. As Edmund Burke observed in 1792, “The several species of government vie with each other in the absurdity of their constitutions, and the oppression which they make their subjects endure.” Yet as Abraham Lincoln optimistically noted, “This country, with its institutions, belongs to the people who inhabit it.”

To which we’d add: As does the power to redesign those institutions to better serve the needs of America’s children.

Korinthische Ordnung

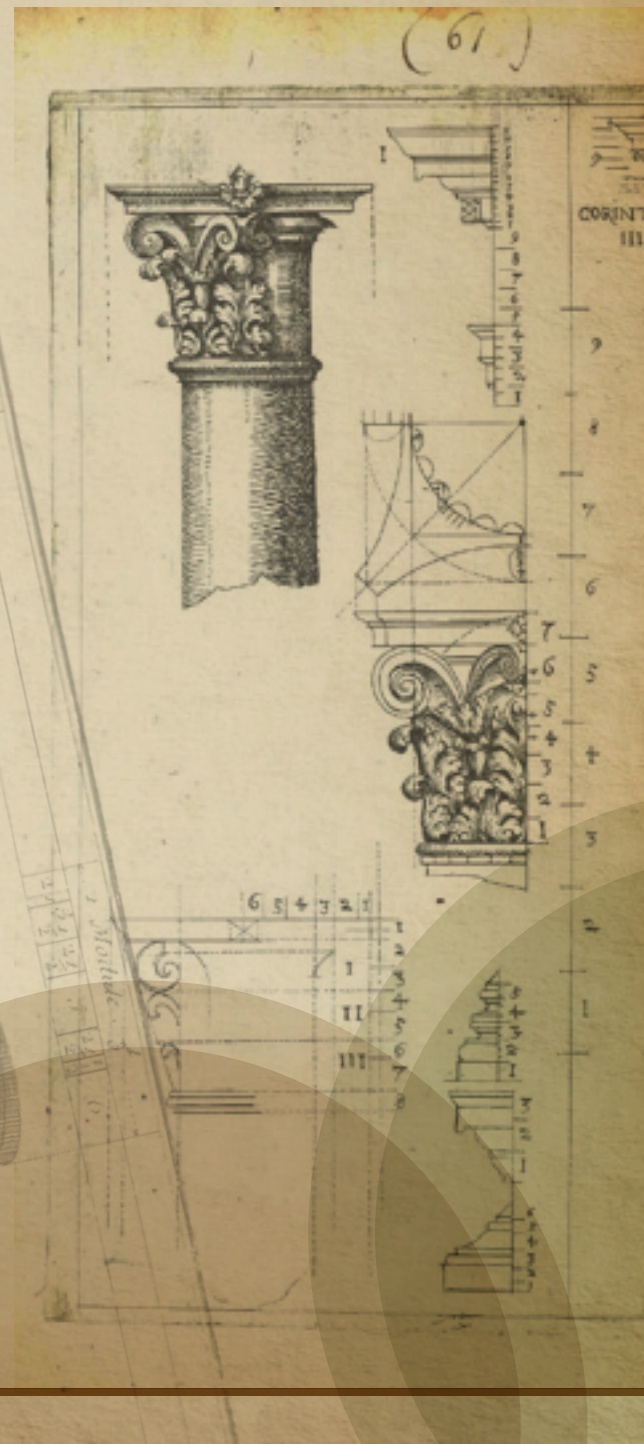
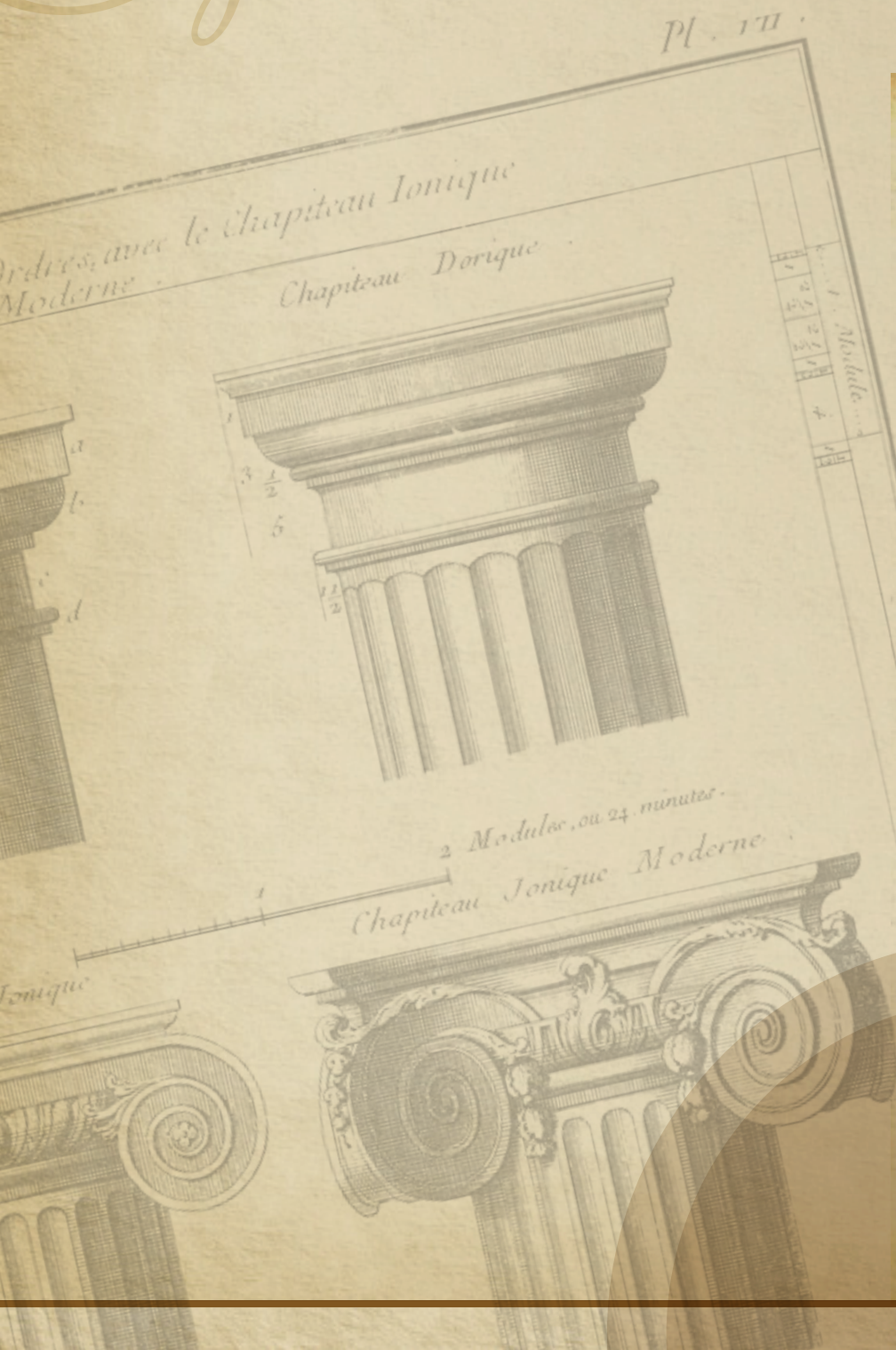


Capitulum Doricum





# Appendix: Data Sources





## Appendix: Data Sources

Data were collected from state education codes and supplemented or confirmed with extant data from the National Center for Education Statistics, the National Council on Teacher Quality's Teacher Contract and State Influence databases, Ballotpedia's elections database, and a variety of databases maintained by the Education Commission of the States, the National Association of State Boards of Education, and others. Data were collected between January 2014 and April 2015, and are current as of April 30, 2015. Data sources and coding for each element are explained below. Percentage represents each element's share of the total component score.

### Component 1: Level of Control

School/District Takeover	(a) State lacks authority to take over schools and/or districts	5	17%
	(b) State has full or partial authority to take over schools and/or districts	0	

Source: Students First, *State Policy Report Card 2014*, Pillar 3, Category 8.<sup>23</sup> States in which “the state does not allow for mayoral or state control of underperforming schools or districts” as indicated by the report card received five points. All other states received zero points.

Charter School Authorization	(a) Districts are sole authorizers	3	10%
	(b) Districts are among several authorizing entities, which may include the state	2	
	(c) State and/or other entities are authorizers, but not districts	1	
	(d) State has no charter law	0	

Source: National Association of Charter School Authorizers map (2015).<sup>24</sup> States were coded according to the degree to which districts do (or do not) have a say in authorizing. States received a **0** if there is no charter law. In jurisdictions with charter laws, states were coded **1** if districts cannot authorize schools, **2** if they are among several types of authorizing entities, or **3** if they are the only charter authorizers.

Annual Evaluations	(a) State does not require teacher evaluations, requires them every two years or less often, or allows the frequency to be determined by the previous evaluation rating	2	7%
	(b) State requires annual teacher evaluations	0	

Source: National Council on Teacher Quality's Teacher Contract Database (2015), “How frequently do tenured teachers receive an evaluation rating?”<sup>25</sup> States received zero points if annual teacher evaluations are required for tenured teachers, or two points if a) the requirement is an evaluation every two years or more, b) if the frequency depends on the previous evaluation rating, or c) if there is no requirement.



Evidence of Student Learning	(a) State does not require that evaluations include evidence of student learning	2	7%
	(b) State requires that evaluations include evidence of student learning	0	

Source: National Council on Teacher Quality’s Teacher Contract Database, “Must objective measurements of student achievement, such as standardized test results, be factored into teacher evaluations?”<sup>26</sup> States were coded **0** if they require evidence of student learning (in any form) or **2** if no measures of student achievement are required.

Evaluation Instrument	(a) State provides criteria or framework for a district-designed evaluation instrument, or allows districts to establish their own criteria	2	7%
	(b) State provides a presumptive evaluation instrument for districts with possible opt-out	1	
	(c) State requires use of a single statewide evaluation instrument	0	

Source: National Council on Teacher Quality’s *Teacher Contract Database*, “Is there a statewide teacher evaluation instrument?”<sup>27</sup> States were coded **0** if the SEA requires districts use a single statewide system, **1** if the SEA “provides a presumptive evaluation model for districts with possible opt-out,” or **2** if the state allows districts to design their own instruments and “provides criteria or framework for district-designed evaluation system.”

Bargaining Law	(a) Districts can decide whether or not to bargain with teachers (state law does not explicitly require or prohibit collective bargaining)	3	10%
	(b) Districts cannot decide whether or not to bargain with teachers (state law explicitly requires or prohibits collective bargaining)	0	

Source: National Council on Teacher Quality’s Legality of Collective Bargaining Database.<sup>28</sup> States received zero points if bargaining is either explicitly prohibited or required (meaning whether a district could bargain is solely determined by state law). States received three points if the law allows districts to decide whether they will bargain by either explicitly permitting bargaining or staying silent on the issue.

Scope of Bargaining	(a) Districts have almost total discretion over which topics they do or don’t bargain (state law does not explicitly require or prohibit bargaining on a large number of potential bargaining topics)	3	10%
	(b) Districts have broad discretion over which topics they do or don’t bargain	2	
	(c) Districts have limited discretion over which topics they do or don’t bargain	1	
	(d) Districts have little or no discretion over which topics they do or don’t bargain (state law explicitly requires or prohibits bargaining on most topics)	0	

Source: National Council on Teacher Quality’s Legality of Collective Bargaining Database.<sup>29</sup> The database lists sixteen potential provisions of teacher contracts (e.g., wages, hours, grievance procedures) and whether that area must be, must not be, or may be negotiated (either explicitly or by omission). In the latter case, whether that



issue is negotiated or not is determined by the district. States in which districts could decide whether to bargain on zero to four issues were coded **0** (meaning that districts have virtually no discretion over whether or not they will bargain over most topics because state law explicitly requires or prohibits bargaining on them). States in which districts have discretion over bargaining on five to eight issues were coded **1**; those with such discretion over nine to twelve issues were coded **2**; those with such discretion over thirteen to sixteen issues were coded **3**.

Textbook Adoption	(a) Districts/schools select their own textbooks	4	13%
	(b) Districts must choose from options approved by the state	0	

Source: Education Commission of the States, *State Textbook Adoption* (September 2013).<sup>30</sup> States were coded **0** if the state prepares a list of approved textbooks from which districts can choose or **4** if districts are allowed to choose their own textbooks.

Tax Authority	(a) Districts have tax authority	3	10%
	(b) Districts lack tax authority	0	

Source: Susanna Loeb, “Local Revenue Options for K–12 Education.”<sup>31</sup> States were coded **0** if independent school districts lack authority over tax rates or **3** if independent school districts have authority over tax rates.

District Boundaries	(a) State lacks authority over school district boundaries	3	10%
	(b) State has authority over school district boundaries	0	

Source: Analysis of the relevant portions of state education code. States were coded **0** if the district boundaries are set in the state constitution, by state law, or solely determined by the state board of education. States were coded **3** if boundaries are determined solely or partially at the local level, by districts and/or voters.

## Component 2: Distribution of Authority

Higher Education	(a) SBE/SEA has no authority over higher education or shares authority with another board or agency	4	15%
	(b) SBE has full authority over higher education	0	

Source: Education Commission of the States’ Postsecondary Governance Structures Database.<sup>32</sup> States were coded **0** if the state board of education and/or state education agency has authority over higher education (in addition to K–12), or **4** if there is a separate board or agency with authority over some or all institutions of higher education.



Early Childhood Education	(a) SBE/SEA has no authority over early childhood education or shares authority with another board or agency	2	8%
	(b) SBE/SEA has full authority over early childhood education	0	

Source: S. Mead and A. LiBetti Mitchell, “Pre-K and Charter Schools: Where State Policies Create Barriers to Collaboration”<sup>33</sup> or from state websites. States were coded **0** if the state board of education and/or state education agency has full authority over early childhood education (in addition to K–12), or **2** if some or all authority rests elsewhere (either with a unique board or agency or with another board or agency, such as the board of human services).

Adult Basic Education	(a) SBE/SEA has no authority over adult basic education or shares authority with another board or agency	1	4%
	(b) SBE/SEA has full authority over adult basic education	0	

Source: Analysis of state department of education websites. States were coded **0** if the state board of education and/or state education agency has full authority over adult basic education (in addition to K–12) or **1** if some or all authority rests elsewhere (either with a unique board or agency, or with another board or agency, such as the board of higher education).

Vocational Education	(a) SBE/SEA has no authority over vocational education or shares authority with another board or agency	3	11%
	(b) SBE/SEA has full authority over vocational education	0	

Source: Education Commission of the States’ Postsecondary Governance Structures Database.<sup>34</sup> States were coded **0** if the state board of education and/or state education agency has authority over vocational education or **3** if authority over vocational education rests elsewhere (either with a unique board or agency or with another board or agency, such as the board of higher education).

P–16/20 Council	(a) State does not have a P–16 or P–20 council	3	11%
	(b) State has a P–16 or P–20 council	0	

Source: Education Commission of the States’ “P–16/P–20 Councils—All State Profiles.”<sup>35</sup> States that have a P–16 or P–20 council were coded **0**, and states that do not were coded **3**.



Labor Relations	(a) State has a separate board or agency with authority over labor relations, independent from SEA/SBE	2	8%
	(b) Board or agency with authority over labor relations is not separate from SEA/SBE (or state does not have a board or agency that governs labor relations)	0	

Source: Analysis of state department of education websites. States were coded **0** if the state board of education and/or state education agency has authority over labor relations for education workers (either because authority is explicitly granted or because there is no external labor relations board). States were coded **2** if there is a separate board or agency with authority over labor relations for education workers.

Teacher Credentialing	(a) State has a separate board with authority over teacher credentialing, or authority is shared between SBE/SEA and a separate board	2	8%
	(b) SBE/SEA has authority over teacher credentialing	0	

Source: National Association of State Boards of Education’s 2015 State Education Governance Matrix.<sup>36</sup> States were coded **0** if the state board of education, state education agency, or chief state school officer has authority over teacher credentialing. States were coded **2** if authority is shared between any of those agents and another board or agency, or if an independent board has authority.

District Types	(a) State has different types of districts	3	11%
	(b) State does not have different types of districts	0	

Source: Education Commission of the States’ 50-State Governance Structures Database.<sup>37</sup> States with only one type of district were coded **0**, and those with more than one were coded **3**, since this indicates a less consolidated governing structure. (Some states have different types of districts—based on location, size, city versus county boundaries, grades served, or other characteristics—that may be subject to different rules and policies, such as who has authority over district finances.)

District Boundaries	(a) District boundaries are not coterminous with municipal boundaries	3	11%
	(b) District boundaries are coterminous with municipal boundaries	0	

Source: M. Oosse, U.S. Census Working Paper No. 74 (2004).<sup>38</sup> States were coded **0** if all school district and municipal boundaries are coterminous, since this implies a greater consolidation of governing structures. States were coded **3** if boundaries are not coterminous.



Students per District	(a) Top quintile (fewest students per district)	4	15%
	(b) Fourth quintile	3	
	(c) Middle quintile	2	
	(d) Second quintile	1	
	(e) Lowest quintile (most students per district)	0	

Source: National Center for Education Statistics (Common Core of Data, 2012–2013). For each state, we divided total enrollment by the number of districts, then divided the results into quintiles. Since districts in consolidated states tend to serve more students (and there are fewer of them compared to the student population), states in the top quintile (i.e., those with the most students per district) were coded **0**. States in the second quintile were coded **1**, the third **2**, the fourth **3**, and the bottom **4**.

### Component 3: Degree of Participation

Regional Representation	(a) State board has regional representation requirement	2	8%
	(b) No regional representation requirement	0	

Partisan Representation	(a) State board has partisan representation requirement	2	8%
	(b) No partisan representation requirement	0	

External Representation	(a) Outside organizations must be represented on the state board (full voting)	2	8%
	(b) Outside organizations must be represented on the state board (non-voting)	1	
	(c) No requirement that outside organizations be represented on the state board	0	

Gender Representation	(a) State board has a gender requirement	2	8%
	(b) No gender requirement	0	

Student Representation	(a) State board must have a student representative (full voting)	2	8%
	(b) State board must have a student representative (non-voting)	1	
	(c) No student representative requirement	0	

Source: National Association of State Boards of Education’s “State Education Governance Matrix” (2015).<sup>39</sup> Requiring representation from certain populations can increase the potential for democratic participation. In each case, states were coded **0** if there is no representation requirement on the state board (meaning participation is more restricted) and **2** if a requirement exists. In the case of student and external representation, states received one point if there is a non-voting position on the board or two if the position has full voting rights. (In all other cases, representatives always have full rights.)



Presence of CSSO	(a) Chief state school officer is not a member of the board	2	8%
	(b) Chief state school officer is a member of the board (non-voting)	1	
	(c) Chief state school officer is a member of the board (full voting)	0	

Source: National Association of State Boards of Education’s “State Education Governance Matrix” (2015).<sup>40</sup> If the chief state school officer sits on the school board, access to education decision making is more restricted because the board is not free to make decisions independently. States were coded **0** if the chief state school officer is a full voting member of the state board of education, **1** if he is a non-voting member, or **2** if he does not sit on the board.

Selection Process (CSSO)	(a) CSSO is elected	2	8%
	(b) CSSO is appointed	0	

Source: Education Commission of the States’ 50-State Governance Structures Database.<sup>41</sup> States were coded **0** if the chief state school officer is appointed or **2** if he is elected.

Election Cycle (CSSO)	(a) Election is on the national general election cycle	1	4%
	(b) Election is not on the national general election cycle (or CSSO is not elected)	0	

Source: S. Anzia, *Timing and Turnout*, Table 1.1.<sup>42</sup> Research shows that voter turnout is greater when state and/or local elections are held on the same day as national general elections (November of even-numbered years); greater voter turnout represents a greater opportunity for participation. States were coded **1** if the election for chief state school officer is held on the same day as national general elections or **0** if it is not (or if the position is appointed).

Partisan Election (CSSO)	(a) Election uses a partisan ballot	1	4%
	(b) Election uses a nonpartisan ballot (or CSSO is not elected)	0	

Source: National Association of State Boards of Education’s “State Education Governance Matrix” (2015).<sup>43</sup> Partisan ballots have been shown to increase voter turnout, usually because they raise the profile of (and interest in) the election. States were coded **1** if the chief state school officer is elected using a partisan ballot or **0** using a nonpartisan ballot (or if the position is not elected).



Selection Process (State Board)	(a) All or most members of the state board are elected	2	8%
	(b) Some members of the state board are elected and some are appointed	1	
	(c) Most or all members of the state board are appointed	0	

Source: Education Commission of the States’ 50-State Governance Structures Database.<sup>44</sup> States received two points if at least two-thirds of the members of the state board of education are elected, one point if between one-third and two-thirds are elected, or zero points if fewer than one-third are elected.

Election Cycle (State Board)	(a) Election is on the national general election cycle	1	4%
	(b) Election is not on the national general election cycle (or SBE is appointed)	0	

Source: S. Anzia, *Timing and Turnout*, Table 1.1.<sup>45</sup> States received one point if the election for the state school board is held on the same day as national general elections (November of even-numbered years) or zero points if it is not (or if board members are not elected).

Partisan Election (State Board)	(a) Election uses a partisan ballot	1	4%
	(b) Election uses a nonpartisan ballot (or SBE is not elected)	0	

Source: National Association of State Boards of Education’s “State Education Governance Matrix” (2015).<sup>46</sup> States were coded **1** if state board of education members are elected using a partisan ballot, or **0** if they are elected using a nonpartisan ballot (or if the board is appointed).

Selection Process (Local Superintendents)	(a) All or most local superintendents are elected	2	8%
	(b) Some local superintendents are elected and some are appointed	1	
	(c) Most or all local superintendents are appointed	0	

Source: Education Commission of the States’ 50-State Governance Structures Database.<sup>47</sup> In most of the nation’s districts, superintendents are appointed by the local school board. In rare cases, however, a superintendent can be chosen by voters; the method usually depends on the type of district. An election may occur in a majority of districts in a particular state, or only a handful. States were coded **2** if at least two-thirds of local superintendents are elected. They were coded **1** if between one-third and two-thirds are elected. They were coded **0** if fewer than one-third are elected.



Selection Process (Local School Boards)	(a) All or most local boards are elected	2	8%
	(b) Some local boards are elected and some are appointed	1	
	(c) Most or all local boards are appointed	0	

Source: Education Commission of the States’ 50-State Governance Structures Database.<sup>48</sup> States were coded **2** if more than one-third of local school boards are elected. They were coded **1** if between one-third and two-thirds are elected. They were coded **0** if fewer than two-thirds are elected.

Election Cycle (Local School Boards)	a) Elections are on the national general election cycle	1	4%
	(b) Elections are not on the national general election cycle (or local school boards are not elected)	0	

Source: S. Anzia, *Timing and Turnout*, Table 1.1.<sup>49</sup> States received one point if local school board elections are held on the same day as national general elections (November of even-numbered years) or zero points if they are not (or if board members are not elected).

Partisan Election	(a) Elections use a partisan ballot	1	4%
	(b) Elections use a nonpartisan ballot (or local school boards are not elected)	0	

Source: Ballotpedia.<sup>50</sup> States were coded **0** if local school board elections use a nonpartisan ballot (or if local boards are appointed). States were coded **1** if local school boards are elected using a partisan ballot.





# Endnotes

IN CONGRESS, JULY 4, 1776,  
A DECLARATION  
BY THE REPRESENTATIVES OF THE  
UNITED STATES OF AMERICA,  
IN GENERAL CONGRESS ASSEMBLED.



THE SCHOOL HOUSE - 1848



# Endnotes

1. Props to Rick Hess, who coined this term in his book *Cage-Busting Leadership*. See R. Hess, *Cage-Busting Leadership* (Cambridge, MA: Harvard Education Press, 2013).
2. D. Brewer and J. Smith, "Evaluating the 'Crazy Quilt': Perspectives on Educational Governance in California" (Stanford, CA: Institute for Research on Education Policy & Practice, 2006), [http://irepp.stanford.edu/documents/GDF/STUDIES/08-Brewer/8-Brewer\(3-07\).pdf](http://irepp.stanford.edu/documents/GDF/STUDIES/08-Brewer/8-Brewer(3-07).pdf).
3. As with any effort to break down a complex system into parts, these results are a product of both objective and subjective judgments. Others will have different ways of conceiving, collecting, coding, and analyzing these data to quantify education governance. We encourage them to do so.
4. P. Manna and P. J. McGuinn, "Education Governance in America: Who Leads When Everyone is in Charge?" in P. Manna and P. J. McGuinn (Eds.), *Education Governance for the Twenty-First Century: Overcoming the Structural Barriers to School Reform* (Washington, D.C.: Brookings Institution Press, 2013), Chapter 1; D. Brewer and J. Smith, "A Framework for Understanding Educational Governance: The Case of California," *Education Finance and Policy* 3, no. 1 (2008), 20–40.
5. Brewer and Smith, "Evaluating the 'Crazy Quilt.'"
6. Manna and McGuinn, "Education Governance in America."
7. M. Roza, "How Current Education Governance Distorts Financial Decision-Making" in P. Manna and P. J. McGuinn, (Eds.), *Education Governance for the Twenty-First Century: Overcoming the Structural Barriers to School Reform* (Washington, D.C.: Brookings Institution Press, 2013), Chapter 3.
8. J. Chubb and T. Moe, *Politics, Markets, and America's Schools* (Washington, D.C.: Brookings Institution Press, 1990).
9. A. Jochim and P. Hill, *A Democratic Constitution for Public Education* (Chicago, IL: University of Chicago Press, 2015).
10. Surprisingly few scholars have attempted to link differences in education governance to differences in student achievement. For example, in *The Education Mayor: Improving America's Schools*, Kenneth Wong finds that mayoral control has a positive impact on elementary reading and math scores. At the state level, Paul Manna finds decentralized states have higher achievement (but greater disparities among subgroups) than centralized states. See Manna, "Centralized Governance and Student Outcomes: Excellence, Equity, and Academic Achievement in the U.S. States," *Policy Studies Journal* 41, no. 4 (2013), 682–705; K. Wong, *The Education Mayor: Improving America's Schools* (Washington, D.C.: Georgetown University Press, 2007).
11. One of the earliest attempts to do so can be found in *The Political Dynamics of American Education*, by Frederick Wirt and Michael Kirst, who classify state political cultures as either *traditionalistic*, *individualistic*, or *moralistic* depending on the "beliefs and sentiments" of their citizens.
12. Manna, "Centralized Governance and Student Outcomes."
13. "Early Learning Governance in Race to the Top – Early Learning Challenge States" (Early Learning Challenge Technical Assistance Program, 2015), <https://elc.grads360.org/services/PDCService.svc/GetPDCDocumentFile?fileId=9746>.
14. E. Regenstein, "Glancing at Governance: The Contemporary Landscape," in S. Kagan and R. Gomez (Eds.), *Early Childhood Governance: Choices and Consequences* (New York, NY: Teachers College Press, 2015), Chapter 2.



15. Using national enrollment data, we calculated that in a typical state, the early childhood system serves approximately twice as many students as the adult education system, so the former is worth two points while the latter is worth just one. Similarly, the higher education system serves approximately twice as many students as the early childhood education system and four times as many students as the adult education system, so higher education is worth four points.
16. Research shows that voter turnout increases when elections are partisan and held on the same day as national elections (i.e., are held “on-cycle”). For more, see Z. Hajnal and P. Lewis, “Municipal Institutions and Voter Turnout in Local Elections,” *Urban Affairs Review* 38 (2003) and S. Anzia, “Election Timing and the Electoral Influence of Interest Groups,” *The Journal of Politics* 73, no. 2 (2011).
17. Because the component scores are aggregates of indicator scores, in some instances states that receive different marks on individual indicators (because they have different governing arrangements) nevertheless have the same (total) component score. Consequently, states with the same governance type do *not* necessarily have identical governing arrangements.
18. In thirty states plus the District of Columbia, districts are required to do so, while in five states districts are prohibited from bargaining.
19. For example, California has city school districts, elementary school districts, high school districts, unified school districts, union school districts, and joint union school districts.
20. In the District of Columbia and New Mexico, however, the SBE’s role is purely advisory.
21. Minnesota and Wisconsin do not have a state board. In Wisconsin’s case, the CSSO is elected, while in Minnesota, he or she is appointed.
22. The only exceptions to this rule are Florida and Mississippi (which elect both their school boards and their superintendents) and Hawaii and the District of Columbia (which have no local school board because there is only one school district).
23. Students First, “Establish State and Mayoral Control,” Pillar 3, Category 8 in *State Policy Report Card 2014* (Sacramento, CA: Students First, 2014), <http://reportcard.studentsfirst.org/assets/2014NationalReport.pdf>.
24. National Association of Charter School Authorizers (NACSA), Authorizer Contact Information (map) (Chicago, IL: NACSA, 2015), [http://public.tableau.com/views/NACSAAuthorizerContactInformation91914/Map?amp;embed=y&:display\\_count=no&:showVizHome=no](http://public.tableau.com/views/NACSAAuthorizerContactInformation91914/Map?amp;embed=y&:display_count=no&:showVizHome=no).
25. National Council on Teacher Quality (NCTQ), “How Frequently do Tenured Teachers Receive an Evaluation Rating?” Teacher Contract Database (Washington, D.C.: NCTQ, 2015), <http://www.nctq.org/districtPolicy/contractDatabase/customReport.do#criteria>.
26. *Ibid.*, “Must Objective Measurements of Student Achievement, Such as Standardized Test Results, be Factored into Teacher Evaluations?”
27. *Ibid.*, “Is There a Statewide Teacher Evaluation Instrument?”
28. National Council on Teacher Quality, Legality of Collective Bargaining Database (Washington, D.C.: NCTQ, 2015), <http://www.nctq.org/districtPolicy/stateInfluence.do>.
29. *Ibid.*
30. V. Scudella, “State Textbook Adoption” (Denver, CO: Education Commission of the States, September 2013), <http://www.ecs.org/clearinghouse/01/09/23/10923.pdf>.



31. S. Loeb, "Local Revenue Options for K–12 Education," in J. Sonstelie and P. Richardson (Eds.), *School Finance and California's Master Plan for Education* (San Francisco, CA: Public Policy Institute of California, 2001), 125–154.
32. Education Commission of the States (ECS), Postsecondary Governance Structures Database, [http://www.ecs.org/html/educationIssues/Governance/GovPSDB\\_intro.asp](http://www.ecs.org/html/educationIssues/Governance/GovPSDB_intro.asp).
33. S. Mead and A. LiBetti Mitchell, "Pre-K and Charter Schools: Where State Policies Create Barriers to Collaboration" (Washington, D.C.: Thomas B. Fordham Institute, July 2015).
34. ECS, Postsecondary Governance Structures Database.
35. ECS, "P–16/P–20 Councils—All State Profiles," <http://ecs.force.com/mbdata/mbprofall?Rep=PCA>.
36. National Association of State Boards of Education (NASBE), State Education Governance Matrix (Alexandria, VA: NASBE, January 2015), <http://www.nasbe.org/wp-content/uploads/Governance-matrix-January-2015.pdf>.
37. ECS, 50-State Governance Structures Database, [http://www.ecs.org/html/educationissues/governance/govk12db\\_intro.asp](http://www.ecs.org/html/educationissues/governance/govk12db_intro.asp).
38. M. Oosse, "Evaluation of April 1, 2000 School District Population Estimates Based on the Synthetic Ratio Method," U.S. Census Working Paper No. 74 (Washington, D.C.: U.S. Census Bureau, June 2004), <https://www.census.gov/population/www/documentation/twps0074/twps0074.pdf>.
39. NASBE, State Education Governance Matrix.
40. Ibid.
41. ECS, 50-State Governance Structures Database.
42. S. Anzia, *Timing and Turnout: How Off-Cycle Elections Favor Organized Groups* (Chicago, IL: University of Chicago Press, 2013).
43. NASBE, State Education Governance Matrix.
44. ECS, 50-State Governance Structures Database.
45. Anzia, *Timing and Turnout*.
46. NASBE, State Education Governance Matrix.
47. ECS, 50-State Governance Structures Database.
48. Ibid.
49. Anzia, *Timing and Turnout*.
50. Ballotpedia, "School Board Elections, 2015," [http://ballotpedia.org/School\\_board\\_elections,\\_2015](http://ballotpedia.org/School_board_elections,_2015).

