

THE NEW PATTERNS OF

# AMERICAN EDUCATIONAL GOVERNANCE

## From Local Control to State and Federal Direction of Education Policy

By David T. Conley

IS IT TIME TO REDESIGN THE GOVERNANCE OF ELEMENTARY AND SECONDARY EDUCATION?

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No issue is perhaps more important and less understood than the changes that are occurring in the governance of American schools. The trend toward greater control at the state and federal levels has been firmly in place for most of the past fifty years, but has accelerated in the past fifteen years. This trend has been the trigger for academic content standards, statewide assessments, accountability systems, charter schools, and more.

At the same time, local school districts and schools—and the administrators and teachers who work in them—are critical partners in achieving the educational improvement desired by state and federal policymakers. If educators and policymakers alike are to learn to work together collaboratively and cooperatively to improve public education, they must begin by understanding the new relationship that exists between them.

This Policy Perspective is designed to help bridge the gap between the established beliefs and the new realities of educational governance.

**This Policy Perspective is excerpted and adapted from a forthcoming book by David T. Conley, *Who Governs Our Schools? Changing Roles and Responsibilities*. Teachers College Press, 2003. Used with permission. Information for ordering the book is on page 4.**

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# THE CHANGING LANDSCAPE OF EDUCATIONAL GOVERNANCE

A revolution is taking place. It's not easy to see, and those experiencing it have yet to fathom its full depth and impact. That revolution is the reshaping of power and authority relationships at all levels of the educational governance and policy system. Although this revolution began perhaps thirty years ago, its pace and intensity have accelerated during the previous decade.

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"Almost every state has been evolving from a local control model of governance and finance ... to a state system of finance, specified standards and content knowledge, and statewide tests and assessments."

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During this time, almost every state has been evolving from a "local control" model of governance and finance, where districts generated and controlled a significant portion of their operating revenues and instructional program locally, to a state system of finance, specified standards and content knowledge, and statewide tests and assessments. During this period, the federal role in education policy has become increasingly activist, and, when viewed from the local perspective, intrusive.

Nearly every state legislature has assumed more control over school funding and educational policy (Hirth, 1996). State assessment systems and accountability systems are being created in nearly every state to provide data on performance and to compare schools (Goertz & Duffy, 2001). In some states these efforts are subtle; in other states they

drive education policy (Olson, 1999). Some states have even begun to link funding with expected student learning (Conley, 1999).

Evidence suggests that these policies are beginning to exert influence on the curriculum being taught in schools (Cohen & Hill, 2001; Firestone, Mayrowetz, & Fairman, 1998; S.H. Fuhrman, 2001; Jones et al., 1999). Although the effect to date has been modest in many states, the strength and frequency of linkages between standards and assessments and various rewards and sanctions in particular are increasing. As of late 1999, forty-eight states had statewide academic standards; thirty-nine mandated tests aligned with their standards; and nineteen required high school exit exams, with eight others planning to do so (Education Week, 2002).

## THE RAPIDLY INCREASING FEDERAL INFLUENCE

Standards and assessments have moved to center stage in the national arena as well. In fact, national educational policy is being crafted around the assumption that standards and assessments are in place in all states and that they are valid measures of student learning and valid tools for comparing states

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EDITOR'S NOTE: In this premiere issue of *Policy Perspective*, David T. Conley, one of the nation's foremost education policy analysts, combines historical research, review of pertinent literature, recommendations of alternative governance models, and his own informed opinion about trends in American K-12 educational governance.

We invite your comments about this publication. You may contact the editorial director at [ssmith@eric.uoregon.edu](mailto:ssmith@eric.uoregon.edu) and the author at [conley@oregon.uoregon.edu](mailto:conley@oregon.uoregon.edu)

and nations. Such comparisons have become ever more commonplace since the 1980s, when Secretary of Education Terrel Bell started publishing “Wall Charts” of statistics comparing states on terms of average scores on the Scholastic Aptitude Test (SAT) and the American College Test (ACT), along with other statistics. The nature of the comparisons has become increasingly sophisticated and drawn from more measures over time.

For example, the National Assessment of Educational Progress (NAEP), which was instituted in the 1970s as a way to gauge effects of Great Society education programs, has become an increasingly influential data source documenting the state of American education. The media are beginning to report NAEP results with increasing frequency and to compare their home state with others that participate in NAEP. The Elementary and Secondary Education Act (ESEA) reauthorization of 2001, known as the “No Child Left Behind” Act of 2001, requires every state to use NAEP scores in reading and math every other year to provide a point of comparison with results of the state’s own tests.

“Current federal educational policy has diverse ambitious goals that pay lip service to local control but have a series of confusing and often contradictory effects on the functioning of schools.”

International comparisons of curriculum and student performance across national borders have become more sophisticated and increasingly credible. The influence on policy of measures such as the Third International Math and Science Study (TIMSS) has become substantial. A cursory examination of the media coverage TIMSS received in comparison to that accorded the First and Second International Math and Science Studies shows how

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the audience for these reports has shifted from statisticians and academics to policymakers and the general public.

The effects of TIMSS at the state level have been significant as well. Numerous states launched reviews of their math programs influenced at least in part by their state score and by the TIMSS critique of mathematics teaching in the United States.

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TIMSS seeks to change state and local education practice, not just report results. Its stated goal is “to identify differences in curriculum and the organization of instruction that may lead to changes in how school systems all over the world organize instruction” (Third International Mathematics and Science Study, 1995).

This type of direct influence on curriculum and instruction emanating from the national level is a new phenomenon. The primary focus of federal education policy during the last half of the twentieth century has been enhanced equity of educational opportunity via desegregation and equal-rights legislation, like Title IX and the Individuals with Disabilities Education Act (IDEA). Federal legislation has focused on large-scale compensatory assistance for students most in need, primarily through ESEA. The federal courts have supported this trend as they upheld key provisions of Title IX and IDEA.

These interventions were really part of a larger set of changes in national policies for which the schools were simply the vehicle of implementation. The federal goal was not specifically to reshape edu-

cational practices or power relationships. In fact, one of the reasons desegregation was achieved so gradually and with such limited and disappointing effects on achievement by racial minorities was that the fundamental legitimacy, power, and autonomy of local school districts to design educational programs was never seriously questioned. Courts were more prescriptive than Congress in terms of mandating specific educational programs at the local level. State governments, however, remained reluctant to interject themselves into the functioning of local districts.

Current federal educational policy has diverse ambitious goals that pay lip service to local control but have a series of confusing and often contradictory effects on the functioning of schools. However, the cumulative effect of these policies is to insert the federal government into local schools in an ever-widening circle, in ways—formal and direct, informal and indirect—that exert influence over educational practices. When combined with state policies that also seek to appropriate the local policy agenda, the available “policy space” within which local schools operate is significantly restricted.

#### STATES TAKE MORE CONTROL OVER EDUCATION POLICY

The single most important underlying factor in understanding the flow of power from the local to the state level is the transformation in education funding that began in the early 1970s and continues to the present (Odden & Wohlstetter, 1992). Substantive challenges to state funding systems were launched in the early 1970s, a time when equality of opportunity was a key social concern.

Differences in resources available to districts that had been racially segregated helped serve as a driver in some lawsuits to establish equitable funding systems. Others were propelled by urban-suburban-rural inequities. The courts were frequently more responsive to equity arguments than were state legislatures. Their decisions spurred governors and leg-

**Also written by David T. Conley:**

*Roadmap to Restructuring: Charting the Course of Change in American Education*

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islatures to act, often resulting in the appointment of blue-ribbon commissions charged with making recommendations for fundamental redesign of state finance systems. Few if any of these panels recommended changes in governance structures or relationships, and, in fact, finance reform was seldom accompanied by any explicit changes in the roles and responsibilities of the state or of local districts.

These suits were so successful in achieving their goals that by the end of the 1970s the contribution of local districts had dropped from 52 percent to 43

percent, while the state’s contribution to education funding rose from 39 percent to 47 percent (Odden & Picus, 2000), a trend that continued throughout the 1980s and, with brief interruption, the 1990s.

### States Begin To Search for a New Relationship with Local Districts

Throughout this period, few explicit changes were made in the governance system. School districts were expected to process state reforms and respond accordingly. While districts gladly accepted increases in funding, they proved less amenable to the accompanying demands embedded in state reform policies. Districts proved more capable of implementing reforms that had dollars specifically targeted to them, could be enacted by adding on programs and staff, and had clear legal consequences to ignoring them. Those that required policy changes, such as new teacher-evaluation or career-ladder programs, were generally implemented, but with less effect. Reforms whose impacts were more difficult to measure and that required changes in classroom practices, such as new curriculum tied to state assessments, seemed to be most problematic to put into place.

In other words, local districts were largely able to preserve their cultures and structures throughout a period of intense policy activity at the state level and in the courts. Legislatures’ increasing influence over local education was occurring without any specific acknowledgement of this phenomenon by state or local policymakers. Legislatures and governors either were unwilling to come to grips with this changing role or preferred not to create tension between the state and local levels by emphasizing the state’s new position of dominance.

The evidence suggests the reforms of the 1980s did have effects, generally in the area of “intensification”—making schools do more of what they were already doing, rather than getting them to do things differently (Grossman, Kirst, & Schmidt-Posner, 1986). The initial exercise of state authority to reform local school practices was played out within

### MISSION OF ERIC AND THE CLEARINGHOUSE

The Educational Resources Information Center (ERIC) is a federally funded, nationwide information network designed to give its users access to literature about every aspect of education.

The Clearinghouse on Educational Management (ERIC/CEM) is part of ERIC's nationwide network of information processing and analysis centers.

One of the original units in the ERIC system, the Clearinghouse has been located at the University of Oregon since June 1966.

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Its goal is to provide quality policy analysis services to faculty at the University of Oregon as may be required by grants and contracts they are pursuing, to state governmental agencies as they seek to understand complex policy issues, and to national organizations as they work to understand policy trends and to nurture new policy options and ideas.

the arena of existing practices, assumptions, and relationships. Subsequent reforms began to move outside that arena.

In fact, many states began to implement reforms that devolved power directly to schools. The mid-1980s saw the first attempts by legislatures to change the structural relationship between schools, districts, and the state (Prasch, 1984). This first generation of structural change was based on the transfer of more responsibility to school sites (Guthrie,

1986). The states' initial attempts to resolve their new authority for education by delegating decision-making and authority to schools did not yield hoped-for improvements or changes in education. This left states searching for new ways to control education policy and practices.

### States Take Charge in the 1990s

The same forces that drove control of education policy toward the state level in the 1970s and 1980s intensified in the 1990s. Courts continued to overturn school finance systems as inequitable and inadequate. Legislatures continued to mount large-scale reform programs with linkages to funding. Accountability expectations continued to increase. And for the first time, legislatures seemed less reluctant to wade more deeply into the affairs of local districts and to seek ways to ensure reform goals were achieved.

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“Policy areas such as teacher education and licensure, teacher evaluation and dismissal, academic standards and assessments, funding and accountability measures would be linked to create incentives and sanctions that would motivate educators to design effective educational programs that met state goals while still retaining local control.”

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“Systemic reform” (Fuhrman, 1994) and “coherent policy” (Fuhrman, 1993) became familiar vocabulary in meetings sponsored by national policy groups such as Education Commission of the States. The states were going to create programs of reform that addressed all the various interconnected issues necessary to change and ostensibly improve their schools.

These programs were to go beyond the piece-meal reforms of the 1980s and provide educators with clear messages about what they needed to do and how they were to be judged successful. The reforms would ensure that all aspects of the educational system were aligned to guarantee desired goals were achieved. Policy areas such as teacher education and licensure, teacher evaluation and dismissal, academic standards and assessments, and funding and accountability measures would be linked to create incentives and sanctions that would motivate educators to design effective educational programs that met state goals while still retaining local control.

“The broadly held assumption that schools do not work well is fueled by a number of sources, among them media reports, test scores, and international comparisons.”

At the same time, the 1990s witnessed the first real wave of disillusionment by legislatures with public education and the initiation of a search for alternatives. The strength of this sentiment varied dramatically from state to state, as did individual motivations and state policy responses. In some cases legislators used the failed reforms of the 1980s as proof that schools would not change and that the system needed to be abandoned. In other cases, legislators sought to build upon the reforms of the previous decade and to find new ways to make schools accountable, effective, and efficient.

Legislatures developed programs such as charter schools, vouchers, open enrollment, post-secondary options, and others that enabled select groups or categories of individuals to avoid public schools if they so chose. They did so without directly addressing governance relationships between the state and its school districts. Educators in school districts felt under siege without necessarily comprehend-

ing the tectonic shifts in governance that were enabling these state initiatives.

## OTHER FACTORS THAT SHAPE THE STATE'S NEW ROLE IN EDUCATION POLICY

A number of factors combine to create momentum for a sustained state focus on educational reform:

- a general belief by the public at large that schools need to change
- the loss of institutional memory and the tendency to tackle complex issues with simple solutions fueled by term limits in some states
- the loss of control of education as a public-policy issue that educators suffered over the past three decades
- the attempts by political parties to capture education as an exploitable political issue and the ensuing increase in partisan educational policy
- the decrease in the number of small school districts that were not capable of implementing complex, demanding state policies
- the emergence of statewide data systems that allow comparisons of schools and districts in ways hitherto impossible

These and other more idiosyncratic factors combine in states to sustain educational reform as a central state policy issue.

### Continuing Public Pressure for Improvement of Schools

The sustained nature of education reform and its continuing position as one of the key policy issues on the national agenda and many state agendas is remarkable. It has been nearly two decades since the initial burst of activity resulting from the report *A Nation at Risk* in 1983. Much of this attention led to reforms bred of an optimism that public schools could be dramatically improved via state policy. The limited success of the reforms has also led to increasing impatience by legislators with the

pace of educational change and to a public perception that schools generally are not very good.

While most polls conducted throughout the 1990s confirm that people rate schools close to them higher than those more distant (Elam, Rose, & Gallup, 1991; Elam & Rose, 1995; Rose & Gallup, 1999), the broadly held assumption that schools do not work well is fueled by a number of sources, among them media reports, test scores and international comparisons, the problems of urban districts in deep distress, public perceptions that teachers' unions protect poor performers, and the subsequent inability of school administrators to remove incompetent teachers.

The business community seems to be increasingly restive with the pace of change in school systems. Advocates of poor and inner-city students, who have previously focused more often on opportunity to learn than equality of outcomes, are showing increasing impatience and frustration with the state of urban schools, calling for evidence of improvement in student learning and the closing of the achievement gap that exists between racial and income groups.

The net effect is to create an atmosphere in many legislatures where it is permissible and politically profitable to push for increased accountability for schools and for increasingly more radical solutions to the education "problem" when schools don't show improved performance.

#### Term Limits

The accelerated turnover of personnel in the eighteen state legislatures subject to term limits has led to changes in the way education policy is formulated. Term limits encourage legislators to seek rapid change in schools where results often take years to demonstrate themselves. Shortened institutional memory contributes to a fragmentation of education policy or an emphasis on education-policy-by-anecdote. Fewer legislators have the statewide power base or legitimacy necessary to sponsor

legislation that would redefine clearly the governance relationships between state and district. The type of consistency that is necessary to sustain a conscious change in relationships from session to session is more difficult to sustain.

#### Appropriation of the Education Agenda by Non-Educators

Analyses of interest groups in education before the 1970s indicated that education-related groups were the primary initiators of education policy (Wirt & Kirst, 1989). From the 1970s on, new groups outside education were able to take control of the education-issue agenda. Politicians, prominent individuals from outside education and government, and commissions reviewing some aspect of social or economic policy all exerted influence on the shaping of education issues that made it onto the policy agenda in states.

Educators found themselves increasingly reacting to the initiatives of these constituencies. Often the voices of educators, particularly lobbyists for educational organizations and interests, were considered the least credible in the hearings and debates surrounding key education policy. A sentiment developed within many legislative committees that educators had their chance to solve the problem being presented and had failed to do so, and it was now time for others outside of education to offer solutions from a new perspective. The success teachers' unions had influencing legislatures to increase education funding during the 1970s and 1980s often became a liability as legislatures swung to more conservative fiscal perspectives. Educators were viewed by many legislators as believing the only solution to all educational problems was more money, and, generally, more teachers or employees.

#### Increasingly Partisan Nature of Education Policy

The Progressive movement at the turn of the twentieth century emphasized nonpartisan governance

structures for education. Candidates for local boards of education were to serve without party affiliation. Professional administrators, like superintendents and principals, were to be selected independently of their political beliefs. State superintendents of public instruction were also to be elected or appointed on a nonpartisan basis. Legislatures were to respect this nonpartisan structure and not embroil schools and education policy in purely partisan politics. In this environment, educators, including university faculty and administrators, were important generators of policy. They possessed the legitimacy associated with the label of nonpartisan.

“Politicians include more specific references to education in their campaigns. Political parties seek to distinguish their education platforms from each other. As a result, education policy has moved in the direction of increased partisanship.”

The past two decades have seen the emergence of education as a salient political topic in many states as it has become the most important element in state budgets. Politicians include more specific references to education in their campaigns. Political parties seek to distinguish their education platforms from each other. As a result, education policy has moved in the direction of increased partisanship (Sandham, 1999).

Paradoxically, education policy does not lend itself well to the traditional distinctions between the two political parties. Republicans have found themselves caught in the seemingly contradictory position of supporting local control and increased state oversight of local districts. Democrats have found themselves opposing state standards in favor of local decision-making. Both parties find themselves in favor of state intervention into the functioning

of local districts: Republicans for fiscal reasons, Democrats for equity reasons.

Democrats may be found favoring school-to-career programs, which tend to benefit business, whereas some Republicans may be adamantly opposed to them on grounds they represent unwarranted governmental intrusion into matters best left to families. Republicans may be the sponsors of voucher and charter-school legislation in suburban areas, while Democrats may favor similar measures if they can be tailored to benefit urban students. Wariness of bilingual education has made strange bedfellows of conservatives who favor English-only polices and some immigrants who are not natural constituents of the Republican Party but want their children instructed in English.

Why, then, is education policy becoming more clearly partisan? The sustained public interest in education over the past two decades has made it a natural political issue, first at the state level, but increasingly at the national level as well. Polls showed education was the number one issue for voters in the 2000 elections (Balz & Morin, 2000). Education is an appealing issue precisely because of the interest it generates among a wide range of voters.

Governors have made education the centerpiece issue in state races, particularly as more states take control of school finance. They have become perhaps the most significant new players in education policy (Sandham, 1999). In the past, policy initiatives grew out of the “iron triangle” consisting of the education committee chair and key staffers, department of education staff, and heads of state education organizations (Wirt & Kirst, 2001). With the transfer of fiscal responsibility to the state level, governors’ budgets are ever more important tools for shaping schools. This power combined with the public attention garnered by ongoing educational reform has led many governors to advocate sometimes sweeping programs, often reflecting a particular political philosophy.

One effect of increasing partisanship is to make education policy more controversial as it becomes an arena where competing social agendas vie for dominance. The reaction to education standards in many parts of the country is an example of this phenomenon (Grant, 1997). An additional example is what Goodman (1995) has termed the “Reading Wars,” which pit whole language against phonics. School-to-work programs are another example; some view them as attempts by government to force youth into the service of business.

Grass-roots opposition to standards arose in many states, not so much because people objected to specific standards, but because they objected to the idea in any form, and the new state programs were the easiest targets (Kannapel, 1995; Pliska & McQuaide, 1994; Rothman, 1992b). Governors, unaccustomed to addressing education policy issues, found themselves having to carve out their positions on educational standards, knowing that politically a great deal was riding on their stance. This was a new experience and important precedent for many state chief executives as well as for legislators. In the end, education became more overtly partisan, and governors learned how to manage controversial issues to their political advantage.

### Small-District Consolidation

While not a critical driver of state involvement in education reform, the continuing consolidation of school districts into larger units, particularly in rural areas, provides some additional ability for states to ask more from districts. When a state has numerous small districts with few resources to respond to state mandates, the state is less likely to make demands on districts. But as districts become larger and begin to have more centralized resources or personnel capable of processing new and complex state policies, the state is less restrained in its ability to ask more of districts. Data reporting, school-improvement plan development, test-score analysis and data disaggregation, and curriculum align-

ment are all activities much more easily accomplished in a district with a centralized support staff to take on the burden.

Decreasing the number of districts and increasing their size also tends to remove them from contact with their local communities. Local control has less meaning when the board of education meets many miles away and its members are unknown to the community. As districts become larger, the sense that they represent any particular local group is diminished. Less resistance to state control arises because less allegiance to local districts exists.

### More Standardized Data-Collection Systems

One of the historical artifacts of local control is non-standardized reporting of data from schools to the state. Efforts over the past decade have led to standardization in some areas, including such basic demographic information as attendance and dropout rates. But school data have proved notoriously difficult to compare.

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“Assessment systems are becoming more varied and sophisticated, allowing disaggregation of data by student subpopulations, and therefore yielding data that can be much more useful in policy formation.”

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This is changing in many states that are on the threshold of understanding school performance in fundamentally new and different ways. Standardized fiscal accounting and reporting systems are producing expenditure data that can reveal differences in the ways two schools with comparable student populations allocate their resources. This differentiation permits clearer analysis of the effects of instruction.

Assessment systems are becoming more varied and sophisticated, allowing disaggregation of data by student subpopulations, and therefore yielding data that can be much more useful in policy formulation. Teacher and school effects can be identified much more distinctly (Pipho, 1998). Each school can be compared not just with others in its district, but with equivalent schools in the state. Local school districts can be held accountable for the performance of their schools. The value-added effects of local control can begin to be determined. Legislatures will have the ability to reach sophisticated conclusions about the relationships between inputs and outputs.

“How to achieve the proper balance between centralization and decentralization, and how to blend state incentives and sanctions for maximum effect remain elusive objectives in most states.”

The tendency of legislatures to intervene into the operations of schools will likely increase as this precision increases, though interventions to date have met with decidedly mixed results (Johnston & Sandham, 1999). This will be particularly true if student performance begins to improve as a result of such interventions. Through this combination of relatively sophisticated data and assessment systems, legislatures will attempt to wield fiscal control to improve school performance. They will also be less reticent to mandate instructional techniques and programs.

The most important change that local school boards and superintendents face in their new relationship with the state is that the individual school is now the unit of accountability, not the school district. States increasingly judge schools on their performance in relation to other schools with compa-

rable student populations, or on improvement from year to year against some established goal (Steffy, 1993). Furthermore, the knowledge and skills students are accountable to master are more explicitly defined, as is the means of assessing these attributes.

Not only policymakers are taking advantage of breakthroughs in data accessibility. This information is broadly available publicly via the Internet from companies specializing in analyzing state data and it is beginning to influence myriad decisions, both within schools and the larger community. Public interest groups have organized their own websites with data on school performance, sometimes including comparisons state education departments have been unwilling to make (Just For The Kids, 2002). Access to the data now allows parents and patrons to ascertain the effectiveness of local schools by using common measures of performance and improvement.

Schools, for obvious reasons, are paying closer attention to data in the public domain that reflect on their performance. Central offices, too, are striving to understand their role in this new data-driven environment where the public has the same information as administrators and is aware of real differences among schools and districts.

## IMPLICATIONS FOR STATE-DISTRICT RELATIONSHIPS

When power is transferred in a system, structural changes generally follow. However, a “cognitive lag” can ensue when perceptions of power relations continue to be based on the old model. In many ways, local school districts are beginning to experience both of these phenomena. The effects of the power shifts as well as the lag in perceptions will be felt particularly at the district level because of the strong traditions of local control that exist in American education.

While scholars debate the degree to which the state can control or change its school systems (Conley, 1997; Kirp & Driver, 1995; Tyack, 1974;

Tyack & Tobin, 1994), the culture of most school districts remains stubbornly independent from the state. Sarason (1971; 1990) and others (Klecker & Loadman, 1996) have noted the strength and ability of local school cultures to thwart or redirect the best intentions of the state.

The first attempts by states to restructure governance relationships faltered, but states have not given up attempting to manage their school systems. States continue to experiment with the policy tools they have, combining incentives and sanctions, increasing and decreasing regulation. Schools continue to process state policies in ways that allow school cultures to maintain themselves, particularly when the reforms come close to the classroom.

Local school districts exist in principle to serve the goals of the state. Historically, states sought to nurture local control. The states' goals are now shifting. States continue to increase their emphasis on fiscal accountability and enhanced achievement for all students. They specify more explicit goals for schools and schooling. How to achieve the proper balance between centralization and decentralization, and how to blend state incentives and sanctions for maximum effect remain elusive objectives in most states.

States have attempted many strategies during the past twenty years to energize or compel school improvement, with only modest success. The next generation of strategies will likely focus more on the outputs of education than on inputs or methods. The existence of a framework for student performance based on standards along with the generation of more specific data on school functioning creates a new dynamic between the state and schools. In this new dynamic, legislators know more about the performance and effectiveness of schools on a comparative and absolute basis. They can begin to establish or infer cause-and-effect relationships between state policies and student learning outcomes.

They are just beginning to learn how to develop and exploit this newly emerging power to their best advantage.

Educators and local school boards who assume nothing has changed about the relationship between local districts and the state will find themselves increasingly frustrated and bewildered. They will be less able to adapt to new forms of competition or other policies that require the ability to comprehend the state's new power and goals. Education policy is turning a corner, and educators who have lost sight of this occurrence will have difficulty orienting themselves to an increasingly turbulent and demanding environment.

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What options does state government have if it chooses to change its relationship with a loosely coupled system of schools (Weick, 1976) that have strong cultures and histories of local control? The range is quite wide, and states have tried pulling almost every available lever to date.

The accelerated application of state policies to reform K-12 education has occurred in an environment in which the sanctity of local control, and its desirability, is a given. Even in situations where

states have intervened in school districts to take them over, the goal has been to return local control as soon and as completely as possible. The contradiction underlying this ambiguous use of a powerful state policy lever is that states are not providing much clear direction to schools on what the new relationship between state and schools should be.

State education departments are constrained in their ability to be useful bridging mechanisms by their long histories as monitoring agencies. Increasingly, states turn to single-topic commissions to guide them in their assumption of power from local districts. Washington State, for example, established the Commission on Student Learning to develop its learning standards and the statewide assessment system to accompany them. The state later created a commission on school accountability charged with developing a system of school accountability, complete with incentives and sanctions.

Kentucky's ambitious education reform program was undertaken as a result of the work of the Prichard Commission, whose recommendations helped set the stage for legislation that essentially closed down the existing department of education and replaced it with a new one (Steffy, 1993, 1992).

States do have powerful tools to get the attention of schools, and they have been employing them with increasing frequency and impact. Most important among these are accountability systems that include both public reporting of school performances and provisions for rewards and sanctions for schools and even for individual administrators and teachers. These tools tend to tighten somewhat the historically loosely coupled relationship between the state and its local school districts and individual schools. Simultaneously, more communication is being generated locally and is traveling up the system to the state policymaking process. This two-way flow of information also helps states move schools in directions that are mutually desirable.

## HOW WILL EDUCATORS AND LOCAL BOARDS OF EDUCATION BE AFFECTED?

Whenever states make significant changes in educational policy, the principal's role is likely to be affected. Current policies in areas such as accountability and assessment are resulting in the principal becoming as responsible to the state as to the local superintendent and board of education. States are judging school success and effectiveness by making comparisons among schools hundreds of miles apart. The ability to bring about improvement will be the key skill for principals whose schools are being rated against state expectations even more than local criteria.

Superintendents and their central-office staffs will be called upon to facilitate and support improvement on a school-by-school basis, rather than simply to control subordinates and standardize operating procedures. In some senses superintendents will be much more dependent on principals than they are now for job security and professional success. If principals are not successful, superintendents will not appear effective.

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"The ability to bring about improvement will be the key skill for principals whose schools are being rated against state expectations even more than local criteria."

Local boards of education will be challenged in many ways. They will find it difficult to understand where their authority ends and the state's begins. They will be accountable, but little will happen to them if their schools fail to improve. They will have to become adept at making the best personnel decisions possible to ensure the district and its schools have the leadership needed to enable improvement. They will have to learn to allocate resources in ways

that enable schools to improve, in place of micromanaging the operations of the district.

Teachers face the most direct effects of this changing policy environment and at the same time are somewhat more insulated from it. Except in states such as Kentucky, California, and North Carolina that have offered bonuses to schools and then to teachers for improved performance, teachers view reform policy, at least initially, as distant from their practice, even when the state explicitly specifies the changes it desires in classroom teaching (Cohen & Hill, 2001; Conley & Goldman, 1995, 1998; Goldman & Conley, 1997). And yet the behaviors of teachers have the most direct effects on student learning.

Simultaneous with increased state control and heightened accountability, deregulation, charter schools, voucher plans, and other related policy initiatives present a different sort of challenge to educators (Elmore & Fuhrman, 1995; Johnston, 1996; Ladd, 1996). Educators must compete not only with one another but also with a new class of school that plays by somewhat different rules.

# WHAT CHALLENGES AND POSSIBILITIES LIE AHEAD?

It is clear that states and the federal government are providing more leadership and direction in the generation of educational policy along a range of dimensions and issues and that local control is being reduced and redefined. The key implication of these trends is that schools are being employed more directly to achieve state and federal education goals and policies. As a result, the role, purpose, and decision-making authority of local districts and boards of education must be reexamined and redefined.

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“Local control now means the ability to make decisions consistent with broad state goals for education and to align local programs in ways consistent with those goals.”

The belief that local districts and individual schools will make significant improvements in performance if only left to their own devices has been largely overtaken by state policies that mandate and direct such expectations. While local districts continue to be important, even critical, players in educational improvement, they are not the driving force behind improvement-related policies, nor do they or will they operate with broad discretion to determine which policies will be used to improve their schools. They may continue to regulate and dictate practices and organizational structures, but improvement is nowhere near as optional or locally defined as it once was.

Local control now means the ability to make decisions consistent with broad state goals for education and to align local programs in ways consistent with those goals. Most schools and districts are proceeding without a conscious acknowledgement that this sea change is occurring and will continue to occur.

## TAKING STOCK: WHERE ARE WE? WHERE ARE WE HEADING?

Many educators react to state initiatives with anger and frustration, waiting for things to return to “normal.” While educators may be justified in criticizing some, many, or perhaps even all of the policy initiatives emanating from state capitals and the federal government, the idea that things will return to the way they were seems to reflect naiveté or wishful thinking in the current political context.

What has been widely acknowledged at all levels of educational governance is the need for a true partnership between and among levels, with each level having clear responsibilities and duties. To achieve the partnership, new communication channels are needed to carry information both up and down the political structure to facilitate better comprehension of policy goals, appropriate modifications of policies, successful policy implementation, and, ultimately, school improvement.

## Is the “Loss” of Local Control a New Phenomenon?

It is important to note that the point is not simply that local control is being “lost.” In 1974, Fuhrman presented a convincing argument that local control

was already being limited by state and federal activities in school finance and other areas, and had already been diminished to such an extent that increased state control over funding would do little to erode local decision-making further.

Even in 1974, states legislated many areas of educational policy in ways that restricted district options. Many states had specific promotion or graduation requirements, including courses that had to be taught at particular grade levels; teacher certification, tenure, and dismissal policies; limits on local taxation and bonded indebtedness; and even standard courses of study or textbook adoption lists (Fuhrman, 1974).

Local communities have been ceding control to professional administrators throughout the twentieth century. Teachers unions' power has come to rival that of administrators, boards, and, in some cases, state legislatures. School boards remain collections of lay people who are ever more dependent on administrative staff. The board's role in many districts has become *pro forma*, approving recommendations made by the educational bureaucracy.

Local control exists in principle, but in practice boards tend to defer to administration, which in turn looks to other school districts or state-level professional organizations for guidance on what constitutes acceptable policy and program choices. In this fashion, districts tend to look more alike than different. Other sources of professional influence, including state education department staff, university professors, and even textbook publishers, contribute to a "striking uniformity" among districts throughout the nation despite local control. In this sense, the loss of local control is self-inflicted.

The actions of Congress and federal courts also significantly limited the traditionally broad discretion of school boards in determining local educational practice. Civil-rights legislation called greater attention to the effects local board decisions had on racial desegregation, stopping just short of unifying urban and suburban districts (Hudgins, 1975).

The Supreme Court granted students broader rights of free speech and due-process guarantees (Nolte, 1974; Zirkel, 1999). Special-education legislation and subsequent litigation required schools to provide equal opportunities to categories of students heretofore ignored or neglected by schools and created new fiscal obligations for schools (Verstegen, 1994).

One significant effect of greater judicial involvement was to cause local districts to defer increasingly to lawyers when creating policy. This contributed to a tendency for boards to focus on what could not be done as much as or more than what could be done. Local educational practice tended to become standardized around real and imagined prohibitions and mandates. Local discretion was limited both by increased legal precedent and a growing belief that it was dangerous to operate outside of known, familiar areas.

Now districts are being called upon to develop new and creative ways to educate all students to high standards. This will require a reworking of the mindset many districts have developed over the past thirty years, wherein they perceive themselves as being hemmed in on all sides and reluctant to initiate anything significantly new or different.

#### Top-Down, Bottom-Up: Will It Work?

The primary conceptual approach to marrying state activism with local authority has been the "top-down, bottom-up" partnership. In this framework, the state sets general goals, establishes accountability, and provides adequate resources, while the local districts interpret policies and provide guidance and support for individual schools that are then free to innovate and adapt their programs so that they can achieve challenging state goals for all children. This is an appealing formula in many ways. It seems at once both to validate state action and to preserve existing governance relations, particularly maintaining local school districts as the primary organizational unit of the state educational system.

In practice, the formula may have serious limitations as a policy model or a vehicle for sustained educational improvement in relation to state goals. Goertz (2001) reviews research on a series of studies conducted in states and districts operating under the top-down, bottom-up model to implement ambitious state-generated, standards-based education reforms that in many cases integrated and aligned with federal education policies. States developed standards documents that were fairly broad and general, going as far as to avoid advising local districts on the curriculum they might employ to achieve the state goals. However, teachers and local administrators often complained that the goals were too vague to guide local education practice, and that in any event local staff did not have the time or expertise necessary to translate the goals into educational practices, programs, or structures.

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“District organization and culture vary from highly centralized to highly decentralized. Schools within districts vary from high need, low capacity to low need, high capacity. This variance challenges districts as they attempt to respond to state policy.”

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Districts do continue to be important organizational units, retaining considerable authority and control over schools. Larger districts translate external policies for schools, provide resources and support, and determine how the policies are to play out in schools. Support for curriculum development and staff training often emanates from the central level as well. Districts do respond to state mandates; however, the variability among district responses is generally greater than the similarities. District organization and culture vary from highly centralized to highly decentralized. Schools within districts

vary from high need, low capacity to low need, high capacity. This variance challenges districts as they attempt to respond to state policy.

The “glue” that is supposed to bind the local districts and schools to state policy goals is a system of accountability keyed to incentives and sanctions for districts, schools, teachers, and students. This approach is working in one respect, but may be problematic in others. Assessment and accountability systems are getting the attention of teachers and administrators, who are changing their behaviors in response (Fuhrman & Elmore, 2001; Hoxby, 2001; Olson, 2002). However, that attention is not necessarily being directed toward altering the basic routines of teaching and learning, redirecting resources to effective programs, or increasing the capacity of schools to adapt and improve on a continuing basis (Fuhrman & Elmore, 2001; Odden, 2001).

In the end, districts rarely sustain a policy direction long enough for an effective program or method to become thoroughly institutionalized. Reforms are often associated with a particular individual, usually the superintendent. When that individual leaves, generally as a result of being forced out after having offended too many political interests or groups during attempted reforms, policy begins to drift, and eventually the reform focus is blunted and new initiatives emerge to compete. Schools return to many of their old routines, which they never entirely abandoned in the first place.

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“If schools do not improve significantly in a top-down, bottom-up partnership, it seems likely state policy leaders will blame educators for not taking advantage of the flexibility they were theoretically provided to improve schools.”

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Kirp (1995) found that reform was a process that occurred one school, even one classroom, at a time and that the broader policy conversation had a major impact at the site level. The state could set the context within which a local policy conversation took place. The state could stimulate interest in and reaction to its policies in ways that caused educators to examine but not necessarily change local practice.

Goertz (2001) concluded that the tensions that exist among local, state, and federal governments have always existed and always will. These tensions are at the heart of the variation in policy and practices across states, districts, and schools. States and districts may all accept the goals of a standards-based educational system, but they interpret the rather broad goals of such a system in their own unique fashion and from their own perspectives. Merely setting standards is not enough. To achieve real improvement in student learning and achievement, Goertz (2001) states, “policy makers must determine how much variability is acceptable and what the proper balance must be between compliance and flexibility.”

These findings and others of a related nature suggest that local school cultures and structures continue to be strong and that the decentralization of decision-making and authority to schools without a reshaping of these cultures is resulting in an accelerated version of responses to previous reforms, namely, a great deal of activity on the surface that does not result in deeper structural and functional changes. The difference is that this time the response is being justified under the banner of a top-down, bottom-up partnership.

#### What Happens If or When Top-Down, Bottom-Up Fails?

This mismatch in expectations between states and schools seems certain to lead to tremendous disappointment, frustration, and eventually action at both

the state and local levels. States believe they are supporting local decision-making and governance, and that this support will lead to implementation and achievement of key state goals. Schools believe they have the right to select school goals and programs locally. The flexibility states provide to achieve key state goals becomes an umbrella to justify a wide range of practices and decisions, some that undoubtedly benefit students and improve learning, but many others that function to preserve current practice and help ensure that demands on the adults who work in the schools are not changed substantially.

If schools do not improve significantly in a top-down, bottom-up partnership, it seems likely state policy leaders will blame educators for not taking advantage of the flexibility they were theoretically provided to redesign education and improve schools substantially. Educators could respond that they never received any real latitude to adapt, that the goals were either too vague or too unrealistic, that the resources provided were inadequate, and that the leadership they received did not enable them to react successfully to state policy mandates. These counter-arguments may not be enough to assuage governors and legislators bent on educational improvement.

If this scenario comes to pass, it seems likely to fuel a new round of experimentation by the federal and state governments with governance, organization, and delivery methods for public education. These experiments will continue to move control out of the hands of education professionals and local boards.

School personnel, for their part, can be expected to become increasingly cynical and jaded in their responses to state policy initiatives. The fundamentally conservative core of schooling will reassert itself more forcefully, and education practice and adaptation will be confined to a relatively narrow range of activities. Schools will find ways to adapt

to the demands of accountability systems, alter the systems to make them tolerable, or explain why schools should not be held to the specified standards.

“Adequacy models will create greater pressure on both state and the schools because they define in concrete terms what is expected from each and outline the effects of each partner failing to meet its obligations.”

Communities and the populace at large will remain divided over the efficacy and appropriateness of large-scale testing and accountability, and public education will continue to meet the needs of some students while achieving only limited success with the portion of the student population most in need of a highly effective public education.

Other possibilities surely exist. A backlash to education reform and school accountability may lead to a repeal of the most demanding elements of state school-improvement policies. State assessments, in particular, may experience a period of retrenchment. Intermediate education agencies may come to play a more important role mediating between levels in the educational governance system. Legislatures and governors may tire of forays into education policy and turn their attention elsewhere, leaving educators, in partnership with local school boards, to resume their control over schools. It seems unlikely that significant new investments in education will occur under this scenario, however.

On the other hand, schools may surprise the skeptics and reinvent themselves in ways that allow them to meet state goals and still offer a comprehensive, high-quality education. This could bring about a rejuvenation of public education and a heightened legitimacy for a locally controlled, state-sponsored

education system. The result could be increased investment in public education, renewed public confidence, and enhanced community ownership of and involvement in local schools.

Private companies may become more significant players, providing services ranging from tutoring to remediation to specific teaching services in areas where shortages exist. Greater single-purpose contracting could potentially result in more capacity in the community and country to deliver high-quality education services. This is a different model than schools run by private companies.

In this scenario, a range of service providers offer very specific expertise in areas where schools consistently struggle or lack properly trained personnel. Data analysis, school-improvement planning, remediation services, and specialized teaching areas including special education generally are all examples of places where schools have struggled to meet high-quality standards consistently. Local schools may or may not have control over who these contractors are, depending on how a state sought to manage the contracting process and how it viewed its relationship with local schools. In this scenario, the top-down component remains, but bottom-up takes on a whole new meaning when applied to contractors at the local level in place of school boards.

The emergence of what are known as adequacy funding models (Odden & Clune, 1998) as a means to establish the state's obligation to fund schools and the schools' obligation to achieve results will likely reshape governance and local practices as well. Oregon, Wyoming, and Maryland (Calvo, Picus, Smith, & Guthrie, 2000; Management Analysis & Planning, 2001) have adopted differing versions of adequacy funding models, and Ohio, Kentucky, Illinois, California, and Washington are considering them.

Adequacy models are made possible in part because states have adopted standards defining a well-educated student. It is now possible to define what

constitutes an adequate education to get them to those standards, to attach costs to the necessary programs, and to measure results through state assessment systems.

Adequacy models will create greater pressure for both the state and the schools because such models define in concrete terms what is expected from each and outline the effects of each partner failing to meet its obligations. This approach moves beyond a top-down, bottom-up in important ways. Adequacy models create partnership a more equal partnership among governors, legislators, and local boards and educators.

All these approaches are feasible and can exist within a governance framework in which states establish the basic ground rules for educational governance and performance. In short, if the top-down, bottom-up experiment fails, many additional options exist, and states are likely to pursue them.

#### WHAT ARE THE LONGER-TERM IMPLICATIONS OF CURRENT TRENDS?

The preceding scenario for short-term implications of current trends is only one possibility. In any event, the longer term may bring more significant transformations within the education system. If the fundamental relationship between local districts and other governance levels is changing, what are the implications over time? What will states do, for example, if school districts do not solve the problem of low-performing schools? What will happen if student test scores do not rise over time in relation to the standards states have established?

Is there sufficient political will to sustain education reform or is this issue likely to fade over time, allowing school districts to resume their work in relative anonymity, out of the public eye once more? Will some of the recent experiments with new governance arrangements and structures be sustained and increased or will they be abandoned in favor of more traditional models?

#### How the State-Local Equation Is Setting the Stage for More Choice and Competition

Standards can create the conditions under which school choice is more feasible, but they cannot create competition. To generate true competition, states must facilitate simple, convenient comparison of performance across different educational models and governance structures. As long as learning is entirely a locally defined phenomenon, it is difficult to determine who is doing a better job or how well the system as a whole is performing.

Nationally normed standardized tests provide some evidence of performance, but they are not particularly sophisticated, nor do they provide much insight into how much value a school is adding to the education of its students. Furthermore, norm referencing doesn't establish with any certainty that the level of student or school performance is adequate. Cannell (1988; 1989) describes the "Lake Wobegon" effect, where every district is above average. Moreover, schools and districts often define improvement in terms of two- or three-point improvement in percentile rankings. It is unclear what such gains mean for student skill and knowledge, work-force readiness, or international competitiveness.

State accountability systems, whatever their methodological weaknesses and limitations, have opened the door to more sophisticated means of comparisons. "Gain score" models that compare individual student performance at two points in time are increasing in popularity (Grissmer, Flanagan, Kawata, & Williamson, 2000; Rouk, 2000; U.S. Department of Education Planning and Evaluation Service, 2001). Multiple defined-performance levels, such as "exceeds, meets, does not meet," have become ubiquitous (Goertz & Duffy, 2001; Rothman, 1992a) and are now a federal requirement for all state assessment systems. Matching curriculum and assessments to create a new definition of "teaching to the test" has become increasingly acceptable as a way to align instruction across grades and school levels

(Bushweller, 1997). States have developed various systems for rating and comparing schools, which find their way into newspapers and onto websites (Hoff, November 7, 2001; Rouk, 2000).

“To generate true competition, states must facilitate simple, convenient comparison of performance across different educational models and governance structures.”

These comparative systems can be made relatively easy to understand, even to the non-educator, and are becoming more user friendly. This information has spawned organizations devoted to sharing information and comparing school performance (Hoff, November 14, 2001; National Center for Educational Accountability, 2002), one of the best examples of which is an organization named Just For The Kids (Hoff, November 14, 2001; Just For The Kids, 2002; Keller, 2001).

As these systems become more commonplace, well understood, and widely accepted, they will set the stage for real competition. Comparative measurement systems have previously been based on standardized test scores, or measures such as SAT or ACT scores, all of which have correlated strongly with income. Parents will need access to a much broader set of indicators than one or two test scores. When and if they get access to this kind of information, parents will be capable of making better-informed decisions about the school they prefer for their children or about the ways in which their current school should improve.

Information is the prerequisite to improvement and choice. At first the demand for choice and improvement will most likely be within the public-school system. Demand for additional options will be heard with greater frequency if schools do not provide the range of options and the quality that in theory local control was supposed to create in the first place.

## How Choice Might Change Current Organizational and Governance Structures

One conception of choice has the state becoming the organizer of competition and not the guarantor of the public-school monopoly. For this concept to work, the state would have to assume a special obligation to ensure that students and parents in schools serving the poor and underprivileged have the same range of options as their more privileged counterparts. The system would evolve in time to accommodate a wide variety of structures that offer educational services, some entirely public, some entirely private, some a hybrid of the two.

“Currently, the only real options for teachers who want to engage in any sort of organization outside the traditional structure are external contractors such as the Edison Corporation or charter schools that separate themselves entirely from the existing school system.”

Educators themselves might become employees, contractors, and entrepreneurs simultaneously, working for a public school part of the time, contracting with a private management group at other times, and operating as an independent consultant in certain settings.

Properly organized and nurtured, educational choice could become an opportunity for teachers, individually and collectively, to exercise the creativity and flexibility that policymakers say they seek from local schools, if states can find ways to free teachers from bureaucratic oversight and still hold them accountable for results. Many variations on the traditional public-school structure might then emerge.

Currently, the only real options for teachers who want to engage in any sort of organization outside the traditional structure are external contractors, such as the Edison Corporation, or charter schools that separate themselves entirely from the existing school system. Neither of these is a particularly attractive option for educators who have a strong allegiance to the public schools, or, in any event, are required to surrender a certain amount of job security or to lose benefits if they choose to work in those schools.

One possible option would be teacher collectives and collaboratives that operate within the structure and facilities of the public schools but have wide latitude, access to support services as needed, and accountability to the marketplace for students and to the state for results. These semi-autonomous, self-governing units could help sustain a form of local control while simultaneously addressing state goals for higher achievement and parent desires for greater choice.

Parent allegiance is to their school, not their district, for the most part (Rose & Gallup, 1999). Governance arrangements that cultivate this sort of bonding between parents and groups of education service providers would be consistent with the original goals of local control.

Such a model might resemble in some ways medical groups, where patients can choose among general practitioners and specialists. These collectives would be part of the school system, but would negotiate as a group, not as part of a bargaining unit. Although all teachers and administrators would be subject to state licensure requirements, they would be free to create the organizational structures and arrangements they deem most appropriate. This variation on the medical model would have the advantage of facilitating parent choice of educational services while helping to retain a certain modicum of quality control over who teaches and administrators. It would also foster greater autonomy and col-

lective action by educators to create new, more effective learning environments.

#### Charters as Precursors of a New Governance Model: Back to the Future

Charter schools seem to be capable of achieving exactly the sort of tight relationship between school and community sought by choice advocates (Schwartz, 1996). It should be pointed out, though, that public schools are quite capable of creating, and frequently do create, exactly these types of relationships (Mintrom, 2000). Nevertheless, charters seem to be striking a chord with legislators and parents who perceive public schools as inflexible and unresponsive institutions.

Charter schools are an interesting phenomenon because they are public schools, the protestations of their opponents notwithstanding. They can be viewed in one light as an almost anachronistic attempt to nullify 100 years of educational governance system development and return to the time when each school was governed by its own individual board that ensured the school was a reflection of community values. Rather than being a radical educational innovation, charter schools are perhaps the most conservative governance reform possible.

“Charter schools and other forms of radical decentralization are vehicles that potentially bridge the gap between state standards and assessment systems and Sizer’s more community-based notions of involvement and ownership of standards.”

Charter schools’ existence in the current educational landscape is made possible in large measure

by the philosophy that the state should set standards and measure performance, and consumers should be able to choose the service provider. The idea that charters sign a contract directly with the state is an expression of the new power and discretion states have in arranging and rearranging educational governance structures and bypassing local school districts.

#### Choice Without State Standards and Control

Some advocates of school choice hold a competing point of view toward the role of the state in education. They explicitly reject the notion that state standards and assessments should be the organizers and arbiters of the goals of publicly funded education. Instead, they favor parental, not governmental, control over many, if not all, of the ideas to which their children are exposed via public education. This point of view rejects the state's role as creator of a system of standards within which all education occurs.

Sizer (2000) states that it is a “fundamental American freedom” that parents have a right to determine the ideas to which their children are exposed and the content they are taught in school: “Abrogation of this right by central governments is an abridgment of freedom.” He argues that state curriculum frameworks, however valid from a scholarly point of view, are “attacks on intellectual freedom.” Communities have a right to impose some common values, those that make freedom a practical reality, but must also be ready to compromise. When governments reach beyond these common values to define learning, they fail to trust or respect their citizens.

According to Sizer (2002), the detailed contours of culture—and, willy-nilly, schools are crucibles of culture—are too important to be given to central authorities unilaterally to define and then to impose. Yes, there must be compromises between what I want and what

the community wants. However, I personally want to be a party to the definition of those compromises. Yes, there is the matter of empirical evidence: I cannot simply walk away from such evidence when it suits my prejudices. However, I expect the government will never assume that it always knows best....

For my child, I would like a choice among schools that play out the necessary compromises between the values of the state and those to which I am thoughtfully committed. From among these I can elect a school that reflects my deepest and fairest sense of the culture in which I wish my child to grow up.

This sort of parental authority and choice is well established for wealthy American families.... If such choices makes sense for rich folks...why not make them available to everybody? (pp. 73-74)

While not specifically advocating charter schools, Sizer calls for a form of choice with locally developed and approved standards that fall within the larger society's value system but that are arbitrated and assessed locally. This is not an explicit rejection of standards, but rather the acceptance of standards when the control of them remains local.

“State standards and assessment systems can facilitate educational choices, among which would be the choice of a traditional public school, and fulfill parental needs for ownership and involvement.”

However problematic this point of view might be in practice, it represents a reaffirmation of local control within the context of a system that needs somehow to ensure that all students achieve to high

levels. Sizer does not necessarily believe that each community should simply be left alone to allow its students to succeed or fail. He has faith that communities will always do what is best for their children. The state, however, is not the best or most legitimate source for determining the specific knowledge students learn.

Charter schools and other forms of radical decentralization are vehicles that potentially bridge the gap between state standards and assessment systems and Sizer's more community-based notions of involvement and ownership of standards. These new governance and organizational structures have serious potential drawbacks and their long-term effects on public education and the social structure of the nation is still unknown. They do, however, give expression to the beliefs of many citizens that the state has overplayed its hand in reducing control at the local level.

#### The Challenge of Learning How To Govern in a Choice-Based System

The most significant stumbling block to increased parental choice is not necessarily lack of participation in determining standards but the historical lack of information about educational choices or experience making such choices. State standards and assessment systems can facilitate educational choices, among which would be the choice of a traditional public school, and fulfill parental needs for ownership and involvement (Mintrom, 2000; Nelson et al., 2000). As the expectation for options and the familiarity with choice increases, more consumer-responsive planning would generate a wider range of options that would displace the standardization of education that represents the current "local control" model.

A change to a flexible, consumer-responsive system will have effects on most aspects of educational administration, from the way in which students are assigned to schools to the contracts under which

teaching and support staff work, the ways students are transported, the ways information on school effectiveness is collected and reported, the skills educational managers and leaders must possess, even the focus and structure of local board meetings. In essence, power will be transferred from the professional staff to the parents and community in many important areas of system organization and operation.

Educational governance structures organized on "command and control" models for over a century will be made responsive to market forces. This type of transition is extremely difficult for large organizations with long histories and strong cultures. It has proved a nearly impossible transition for organizations that have had monopoly status and then been required to operate in a competitive environment (Doyle, 1997; Reuters News Service, 1989; Rothman, 1990).

#### ALIGNING GOVERNANCE WITH KEY VALUES, GOALS, AND PURPOSES

The American educational system has been characterized since its inception as one that accommodates a wide range of values and purposes. In contrast to countries with more centralized systems that espouse a consistent set of values, states and school boards in the United States have had the latitude, if they chose to exercise it, to conceptualize and pursue the educational aims they deemed most appropriate for their communities and constituents.

Le Métais (1997) examines the role of values in the national educational systems of eighteen countries. The American system is one in which national values have less influence on education because education policy is not controlled centrally. Instilling particular values is not as central to education in the United States as in many other nations. However, all education systems reflect and transmit values, implicitly or explicitly. Any education system is, at any given time, a combination of the past, the

present, and the future in regard to the values it communicates and the aims it pursues.

The past is manifested in schools through the values and teaching methods that teachers learned or acquired back when they entered the profession. The present is represented by current assessments and standards, which have a direct impact on practice. The future is laid out in curriculum documents that contain aspirations and visions of best practice. The system is a product of the interactions of these three convergent forces. Reform implementation takes place amid these three streams of activity and values.

#### What Are the Purposes and Aims of American Education?

American education has always been concerned with transmitting some values universally. These values tend to be quite broad, embracing such universal characteristics as civic engagement, basic morality, and individual responsibility. School districts may adopt more explicit, even blatant value positions. Some of this variation in values has been essentially harmless and did benefit local communities by reinforcing social bonds. Variation also resulted in the creation and perpetuation of inequities that were and are inconsistent with an equitable society.

In recent decades, several national forces have combined to forge widespread agreement on a set of common values that shape public education today. These unifying forces include civil-rights legislation, a new “national” economy where regional differences are less substantial, national media that highlight social and economic inequities, and a work environment that requires greater universal education and in which civil-rights guarantees are more vigorously safeguarded. States have implemented finance systems consistent with greater equity. Local school districts are under increasing pressure to conform to this *de facto* set of core national education values.

The lack of a strong federal role in education at the national level precluded the explicit statement of national education goals until the 1990s. The enhanced federal educational presence over the past thirty-five years has focused national attention on equity by placing the rights of individuals to an education, not the preservation of local school governance, at the center of federal policy. The effect has been to cause schools to attempt to meet the educational needs of all students in a more equitable fashion. This focus on equity, combined with the national interest to be competitive economically on a global scale, has elevated universal educational excellence to the position of a key educational goal, embodied in the phrase “all students reaching high standards” (Robelen, 2002).

Also implicit in national educational policy is the very American notion that each individual is responsible for her or his own success or failure, and government is responsible mainly to ensure that everyone has an equal opportunity, more or less, to succeed. This value is being manifested in federal policy that aims to establish accountability, not to ensure that everyone succeeds. Accountability for results, at an individual and organizational level, is becoming the criterion for judging educational programs. Schools are now feeling the effects of policies that are struggling to find the right balance between holding students accountable and holding educators accountable.

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“Accountability for results, at an individual and organizational level, is becoming the criterion for judging educational programs.”

These trends toward greater agreement on key goals for education will have significant long-term effects on education locally. Although vigorous and vehement exception will be taken to the “imposi-

tion” of state or national aims for education, the country seems headed in the direction of a redefined notion of educational purposes with a focus on instrumental uses of education for economic success and social equality. These values have always been important in some communities, but not necessarily all, as is the case now.

#### Effects of Emergence of Broad National Education Goals

The notion of the education system as a tool to achieve social goals is not new. It has been seen as a means to socialize immigrants, teach vocational skills for a new industrial economy, even prepare those raised in rural areas to live in cities. The difference is that these goals were accepted for the most part without explicit direction from the federal government. In the relative homogeneity that ensued during the period when local school boards were “de-politicized,” a surprising degree of commonality in values and beliefs arose among board members (Tyack, 1974). The new landscape of educational governance is one in which local boards may once again be in broad agreement, but as a result of constraints imposed by federal and state laws and regulations that operationalize specific value positions.

For all the discussion about fear of a national curriculum or assessment, educational policy continues to drift in the direction of greater consistency of values and purposes. Every indication is that this trend will continue, if not accelerate. The increase in ethnic, linguistic, and economic class diversity that American society and schools have experienced the past two decades and will continue to experience for the foreseeable future, suggests that the education system will be called upon to serve as a vehicle for socialization and social mobility, although schools are likely to demonstrate greater sensitivity to issues of cultural diversity than they have in the past.

Local school districts and boards will have to mediate between the broad framework of federal and state values on one hand and local community needs and wishes on the other. The continuing tension between the two will lead to conflict and periodic adjustments in the balance, particularly between and among federal, state, and local jurisdictions. Given that the broader national goals of equality and economic participation are well established, at least in principle, in most communities they will serve as overall framers of local education programs. State standards and assessments will be the means by which equity is implemented in schools. These state programs will be guided by federal legislation that establishes basic frameworks for educational practice.

#### What Organizational Structure Best Accommodates National Goals While Acknowledging Local Diversity?

American education faces a conundrum of sorts. The historical governance structure for education seems unlikely to enable the system to achieve the social goals laid out for it by current governments. The tortured implementation of school desegregation over forty-plus years illustrates that when national and local goals conflict, national goals win out in the end, but that local action or inaction determines the speed and difficulty of policy implementation.

State and federal governments, however, seem largely uninterested in transforming the existing governance system, preferring instead to experiment with radical adaptations that initially affect primarily the fringes of education, such as charter schools and vouchers. Governments maintain a psychological and policy commitment to what increasingly appears to be an outdated and obsolete governance structure organized around myriad individual school districts, many of which are now historical curiosities or geographical oddities.

The problem is that the current structure contains some desirable elements among the many others that

no longer function as intended. Chief among the desirable elements is the significant involvement in and ownership of local schools that comes from the traditional structure of a school district, a local school board, and neighborhood schools when they are functioning as intended. The power and importance of this involvement has been demonstrated repeatedly.

To lose this component of educational governance at a time when many other nations in the world are attempting to increase educational decentralization and build ownership of local schools seems foolhardy. However, a truly national educational system cannot permit each locality to choose its goals, standards, and accountability measures independently. It cannot even allow localities to select all aspects of their educational programs in isolation, if such choices systematically exclude groups of students from being able to participate successfully in the larger society.

## OUTLINES OF A NEW GOVERNANCE SYSTEM

What might a new governance system look like that attempted to address the multiple, conflicting goals of American education and simultaneously acknowledge the new realities of the local/state/federal relationship?

### The Emerging Outlines of the Federal Role

The federal role in a restructured and reconceptualized governance system is becoming clearer. The possibilities include greater involvement in research and development, identification and endorsement of effective educational methods, ability to focus public opinion on the need for educational improvement, creation of pilot programs, and provision of resources to help targeted populations achieve equitable educational outcomes. The ESEA reauthorization of 2001 (No Child Left Behind) is a noteworthy signal of the expanding federal role in

K-12 education. Where will the federal government head now that it is becoming so much more of a central player in establishing the direction of education policy?

Equity issues will continue to be a focal point for the federal agenda for at least two reasons. First, guaranteeing citizens equal protection under the law is a fundamental responsibility of the national government and is the legitimate basis for federal intervention into state and local educational policy. A large body of law undergirds and supports policy in this area, which means lawsuits would be the result of federal withdrawal from this role. In essence, the federal government has little choice but to pursue and support educational equity.

Second, significant inequities remain in many areas of the society despite sustained efforts to eliminate them. The achievement gap between African-American and white students was cut in half over an eighteen-year period from 1970 to 1988, and the gap separating Latinos and whites declined by one-third. Since that time, the gaps have begun to widen again (Haycock, 2001). Overall achievement rates remain lower for Hispanic, African-American, native American, and some Asian students than for white students even after thirty years of programs such as Title I (Borman & D'Agostino, 1995).

"Barring a dramatic change in national politics and sentiment, the federal government will remain focused on equity issues for the foreseeable future."

Closing this gap has become the centerpiece of federal policy and cannot be easily abandoned. For example, the No Child Left Behind legislation gives states until 2014 to close this achievement gap. Barring a dramatic change in national politics and sen-

timent, the federal government will remain focused on equity issues for the foreseeable future.

The most intriguing question is whether the federal government will extend notions of equity to fiscal matters and become engaged in equalizing funding across state lines. Per-pupil spending in the lowest-spending states is currently half that of the highest-spending states. This results in situations where students in the highest-spending districts in some low-spending states receive fewer resources than do students in the lowest-spending districts in some high-spending states (Rothstein, 2001).

The past thirty years of school finance legislation and litigation have focused exclusively on issues of within-state funding equity, which has resulted in a decrease in intrastate spending discrepancies. Interstate differences have remained relatively constant over the past twenty years. Per-pupil funding adjusted for regional cost differences varied in 2001 from \$9,362 per pupil in New Jersey to \$4,579 per pupil in Utah (*Education Week*, 2002).

The 2000 presidential election saw calls for federal programs to provide funds for reducing class size, increasing teacher salaries, and providing funds for school construction nationally (Steinberg, 2000). Any future movement by the federal government into the area of equalizing funding would only magnify federal influence on state and local education policies. As the experience with states has shown, greater involvement in funding leads to greater control over policy. If interstate funding equity ever comes to pass, the foundation for a federal education system will be well along the way to being laid. A national assessment system would then seem to be inevitable, as would national teacher licensing standards, and national policy in a host of other similar areas.

### Creating Educational "Franchises"

Assuming that control over the organization and routine governance of schools would remain at the

state level, how might states rethink governance such that equity goals and desires for local choice and control could be simultaneously addressed?

The answer to this question begs asking another: What responsibilities do governors and legislatures have to provide the means by which local schools can successfully address state mandates, standards, and policies? The state would have to establish one set of governance mechanisms to oversee the entire educational system, rather than regulate one part, namely school districts, and deregulate another, for example, charters.

One way to create a level playing field in the future is to empower state boards of education to grant "franchises" for the delivery of educational services. A *franchise* is defined as a right or privilege granted by a government to another agency. Although the word *franchise* conjures up images of hamburgers or fried-chicken outlets, the franchise has a long history and is one of the most well-established tools governments have to oversee provision of services in which full competition is not feasible. Governments throughout the country currently manage a range of services via franchise arrangements.

Franchisees would be selected by the state board of education based on the quality and cost-effectiveness of their proposals. Franchises would be granted for each geographical area to a governmental agency or consortium of agencies and organizations. Within that area, the franchisee would be responsible for a portfolio of educational environments and opportunities adequate to meet local needs and ensure all students reached high levels of achievement. Local school boards, for example, would be eligible to submit proposals to be granted franchises, as would counties and cities, or collaborations of all these governmental units.

Other less-traditional sponsors, such as universities, intermediate educational agencies, teachers unions, or regional education labs, would be eligible to be granted franchises or to collaborate with

other agencies in the operation of schools. Private entities would be equally eligible. Such entities might include for-profit companies with experience running schools, not-for-profit organizations, and other companies with expertise in one niche or aspect of service provision.

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“The franchisee would be responsible for a portfolio of educational environments and opportunities adequate to meet local needs and ensure all students reached high levels of achievement.”

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A franchisee might constitute a combination of public and private organizations that collectively possess expertise in governance, finance, customer service, and effective educational techniques. Collectively, these organizations would bring expertise to ensure effective management of schools, high-performance teaching and learning models, and high-quality customer service. Education experts would be one, but only one, component of the management team.

Once a franchise was approved, the franchisee would receive the entire state per-pupil funding allotment and all applicable federal funds for each student it enrolled. A franchisee would be eligible to bid to occupy school buildings or access state funds specifically designed to assist franchises to develop physical space. State education departments would oversee franchises to ensure they were meeting the service terms of their franchise. Franchises would ultimately be judged by student performance and parental satisfaction. Information would be derived from a variety of sources.

The goal of the franchisee would be to provide such exceptional service that its franchise would be renewed. Each franchise would be required to have a governing board elected by all eligible voters

within its service area. Therefore, it would always be in the interests of the franchise to meet the needs of parents and students while remaining attentive to the terms of the franchise established by the state.

If at any time dissatisfaction with a franchise rose above a predetermined level, this would trigger a period during which competing proposals could be circulated. What amounts to a referendum on a franchise would then follow to determine if the franchise would be revoked prematurely. If a franchise could not meet specified performance terms, the franchise would be put up for bid to other franchisees, or entirely new proposals would be solicited, which could result in the franchise being divided up or otherwise reorganized to best meet local conditions and expectations.

Franchises would be formally reviewed, perhaps every five years. Performance would be determined based on a number of indicators, but achievement of state goals and maintenance of local satisfaction would be co-equal.

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“If a franchisee could not meet specified performance terms, the franchise would be put up for bid to other franchisees.”

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In some respects this notion of franchises is only a small step off the path down which educational governance has already been heading. Numerous states grant charters to a range of sponsors, take over school districts or permit mayors to do so, authorize contractors to run districts, approve city-school district governance arrangements, reconstitute schools, and otherwise control and assign governance responsibilities. The franchise approach would, however, change one important aspect of the state-local relationship. School boards would not automatically be the sole legitimate sponsors of local educational programs. Boards would be expected to compete for franchises along with every-

one else. In practice, communities that were highly satisfied with their current schools would likely see little change. Those where significant dissatisfaction existed might well see additional options.

Given the magnitude of the state board of education's role in overseeing such a system, the state education department would have to be capable of providing the information necessary to make decisions to grant or renew franchises. Education departments would have to be transformed into agencies capable of collecting and analyzing data on the functioning of schools within a franchise. State education departments would no longer be in the position of defending local school districts or advocating specifically on their behalf with state legislatures. Education departments would be more concerned with generating appropriate policy recommendations for improving the overall functioning of the franchising system than with responding to specific issues raised by local school boards or superintendents, as they tend to do today.

Instead, the state would implement a series of single-purpose commissions to address key areas of state education policy, such as standards, assessment, and accountability. These commissions would be the forums within which franchisees would engage the state in negotiations around the terms and effects of specific policies. These commissions would be organized to facilitate two-way communication via well-developed websites, email, and other electronic means that would disseminate new policies and capture reactions to policy as it was implemented.

This system would require coordination at the state level by a state board or a governor's office. While it is certainly possible that a more elaborate governance model such as this would be capable of sending contradictory messages to schools, it is equally likely that by creating institutional centers at the state level for a series of important policy issues, greater continuity would result. If the state

board and commissions were nonpartisan with members serving overlapping terms, the likelihood increases that these bodies would provide some stability and continuity to state policy implementation. At the same time, they would provide the state with a greatly enhanced capacity to translate policy into practice and to communicate with the franchisees, all of whom should be interested in state policy and its potential effects on the renewal of their franchises.

#### Schools as Members of Regional "Networks"

A less radical adaptation of governance would be to have schools belong to one or more education "networks" in addition to being part of a district. Schools would be free to utilize these networks to purchase goods and services collectively, to share materials and programs, and to develop close working connections among school staffs.

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"Schools would be free to utilize these networks to purchase goods and services collectively, to share materials and programs, and to develop close working connections among school staffs."

Networks would fulfill a number of needs. They would promote contact between school administrators and staff and colleagues whose schools had similar problems or needs. They would facilitate pooling and sharing of some resources as well as creating support for change, improvement, and professional development. They could engage in common curriculum development and program planning. They could help educators respond effectively to new state and federal policy demands.

Networks would be "governed" by one or more representatives from each member institution. Meet-

ings would focus on ways in which the network might advance its needs and perspectives within the state policy system, gain more resources, marshal resources to help out a member who was facing an emergency, formulate common policies for relating to external agencies, and connect with other networks and organizations for mutually beneficial purposes. The governing board would also be a vehicle to develop and strengthen leadership skills of individuals from member institutions.

In the current system, any individual school can find itself isolated due to the fact that it may be quite different from other schools in its district or, in some districts, due to envy or rejection by colleagues who may resent a school's success or use different instructional methods and programs. Districts do not have a particularly good track record in terms of ensuring that effective educational practices are disseminated within a district or that like-minded schools share resources and collaborate in solving problems.

The advent of sophisticated telecommunications systems and software opens the door for schools to be in regular contact and to work together on a number of fronts simultaneously with a range of educational service providers and other schools. Sharing personnel across long distances is still problematic. However utilizing itinerants who spend one or more week in a region working with schools on specific problems could facilitate sharing expertise broadly across a region or state. In this way, schools could benefit from a common focus and a commitment to work collaboratively to solve common problems. The concept of *learning community* would have new meaning in such a network arrangement.

Schools often do affiliate in relation to particular improvement programs or philosophical orientations toward reform, but rarely do they form confederations with high degrees of interdependence, coordinated resource allocation or engage in systematic sharing of improvement strategies, models, and techniques.

Nascent statewide school networks can be observed in some states as charter schools form organizations that possess many of these characteristics. These networks often begin with a focus on purchasing, accounting, or other support services, but can grow to include conferences, audio and video links, and even shared curriculum. Each school retains its independence and unique focus as well as its responsiveness to local conditions and its particular governance structure. Within a framework of overall accountability to the state, the schools decide how best to affiliate and for what purposes.

This kind of need-driven organizational structure seems more consistent with current thinking about how best to enable institutions to be responsive to customers and markets and, in the case of education, to be responsive simultaneously to consumers of education and to state values and goals. Striking this balance between parents' very personal desires for their children and states' more general expectations for all students will require new governance methods that are like a double-hinged gate, capable of swinging in both directions.

#### How States Can Nurture Educational Success

States can do more to support educational success than simply granting franchises then sitting back to see who succeeds and who fails. Education departments can be reorganized to provide high-quality curriculum and specific courses of study, much as is done in some Australian states, while allowing teachers to continue to choose what precisely they want to teach. These state-designed programs would serve as models for how to ensure all students meet high standards.

One of the benefits of such efforts would be to break the stranglehold of textbook publishers and to stimulate more local curriculum development. Given advancements in publishing techniques and the availability of myriad online resources, the no-

tion that states and even consortia of districts or schools could work together to produce sophisticated materials is not as unrealistic as it once may have seemed.

The state must also become serious about identifying effective educational programs and practices and establishing the means to disseminate them. If education is to remain a decentralized system, information on best practices has to be implemented and disseminated much more quickly. Other nations take advantage of centralization to put new curricula or teaching practices into place more rapidly, an idea anathema to American educators but one that allows for more rapid educational improvement. Permitting ineffective practice to continue in the name of local control is not consistent with equity, excellence, or professionalism in education. Expecting all problems to be solved locally ignores the complexity of the challenge many schools face.

States will need to develop much more sophisticated systems for analyzing why a school is not succeeding or living up to its potential. The systems states develop must surpass the “blunt instrument” approach of many current accountability schemes. To do so, they will need to enable schools or districts to diagnose characteristics such as the following:

- how well a school has implemented and maintained organizational conditions that have a demonstrated link to student learning
- the degree to which the school employs effective teaching practices and programs
- the organizational culture and values under which the school operates
- the relationship between the school and its external clients, including parents, community members, and central-office staff
- the characteristics of the school’s comprehensive profile of student learning

This combination of information on organizational variables and learning results enables schools to pinpoint problems, districts to identify how to

assist schools, and states to paint a fuller picture of the conditions of education and the functioning of schools.

Although the state will need to work hard to provide schools with the information they need to improve, its primary responsibility will be to advocate for students and parents, not for professional educators. To fulfill this role, the state will publicize information about the current condition of schools and of district efforts to improve schools, as well as their failure to do so. The state’s goal will be to mobilize communities to assume greater responsibility for local governance. This state-local connection helps strengthen one of the major benefits of local control—community involvement in managing its schools.

# THE PRESSING NEED TO CREATE NEW GOVERNANCE MODELS

This transformation is dependent on a recognition by all involved that relationships have changed fundamentally and irrevocably, and that such change is not necessarily a bad thing. Seeking the benefits of these new relationships and adjusting the structure of government and the perspectives and assumptions of all participants in the educational policy and governance system are the ongoing challenges that remain before American society.

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“If a conscious plan to redesign policy and governance mechanisms is not undertaken, pressures to dismantle public education will no doubt continue to gain momentum.”

If these adjustments can be made in a conscious, rational, deliberate fashion, the potential to revamp, modernize, and improve educational governance and policymaking is great. If participants are intent on denying or ignoring the changes that have occurred in favor of an almost sentimental attachment to a system that no longer functions as intended, governance and policy will become increasingly confusing, inconsistent, fractious, and nonrational.

The changes in American educational governance do not demand a moral response; they demand a practical response. That response is to design the most appropriate and effective governance and policy system possible. To do so will require all involved, but particularly board members and educa-

tors at the district and school levels, to reexamine long-held assumptions and beliefs about governmental relationships and responsibilities and to seek the type of governance that will be the most effective in the long run, not just the means to solve the most immediate crisis facing education at the moment. This sort of rational planning is clearly the exception in a system that is inherently conservative, self-referential, and political in nature.

Nevertheless, it is not impossible to operate within the framework of a larger vision when making the daily decisions and solving the immediate problems that educational governance and policy systems confront. If participants in the American political system can grasp the historical significance of the current situation and respond with a redesign that points toward a future in which local involvement can be preserved and state goals achieved, the likelihood that public education will remain a central, vibrant fixture in American society will be greatly increased.

If a conscious plan to redesign policy and governance mechanisms is not undertaken, pressures to dismantle public education will no doubt continue to gain momentum and the ultimate result possibly will be an incremental dissolution of the current governance system. Given the long history and tradition of public education in America and its important role in local communities, a conscious redesign seems preferable, however complex, conflict-laden, and difficult.

The next ten years should tell the tale of the redesign of American educational governance, at least in terms of its institutional structures and organizational components. Governors, legislators, state

and local board members, educators at the district and school levels, and other participants in the system will determine the outcome through their re-

sponse to the choices they have before them at this historic moment.

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