

Introduction

*Why Variations in State Governance
Matter for Education Reform*

As a student in the public schools of Utah, I—not surprisingly—thought very little about education governance and policy in my state. I grew up in Cottonwood Heights, near Salt Lake City, just a few minutes from two dramatic canyons. In the morning, the sun broke sharply over the mountains, and at night they blotted out a large section of the sky, rendering in sharp relief a jagged line of stars. Had you asked me, I would not have been able to define the role of a school board or even name our superintendent. When I became aware of attendance zones and school district boundaries, I understood them only vaguely and experienced them primarily as a way of structuring high school athletic competitions. I might have been able to name our governors, but certainly not their stances on education. I could have, and would have, told you plenty about wonderful, devoted teachers or an elementary school principal who softened his rebukes with a smile and a bowl of candy. I loved my schools, and I am grateful beyond measure for the opportunities they created, what they taught me about community, and how they cultivated me as a citizen and a scholar.

Looking back, ten years into my career as a professor and researcher, I can see beyond my teachers, principals, homework, and field trips to recognize the significant impact of social and economic stratification on my experiences in school. My parents' educational backgrounds, relative economic security, and high level of involvement created cascading advantages, ensuring that I arrived at school ready to learn and was exposed to great teachers, placed in advanced classes whenever possible, able to participate in extracurricular activities, and supported when I encountered obstacles.

In all likelihood, their efforts and resources would have ensured a positive experience regardless of the state where I attended school.

However, I also now see the distinctive and unmistakable imprint of my home state's particular challenges, politics, educational culture, and approach to K–12 governance. Too often in the last two decades of education reform, the singularity of these state-level educational ecosystems—in which history, culture, resources, and politics combine to shape a child's opportunities—has been little acknowledged.

As it turns out, for children in families with few economic resources or social advantages, these between-state differences are especially consequential. Failing to adequately attend to this reality is a significant factor presently undermining reform efforts. It has hindered the implementation of promising policies and invited political backlash from those who feel ignored, ultimately fostering a counterproductive volatility. Perhaps most of all, it has perpetuated a mismatch between policy solutions and the problems they seek to tackle. The structural underpinnings of educational inequality vary systematically, from state to state, and so policy responses must as well.

In this book, I aim to draw the attention of scholars, reformers, educators, parents, and college students back to state-level education governance, identify key aspects of state school systems, and set forth recommendations for how to approach reform with state context in mind. Though local school governance has been a more consistent area of focus for those who study educational policy and politics and will be a subject of much discussion in this book, local decision-making and inequalities are shaped heavily by state-level factors. Likewise, a federal government increasingly engaged with educational policy has—rightly—commanded the attention of many scholars and the public at large, but these analyses regularly sidestep the fact that states have tremendous power to dampen or amplify the impact of federal efforts. My own K–12 education offers a glimpse of the pervasive influence of state context.

SCHOOLING IN UTAH

Each morning as a young child I plodded, skipped, or pedaled to Canyon View Elementary, a traditional, neighborhood public school several blocks from my home. My classmates and I waited for the bell that signaled the start of the school day, at which point we would be ushered through a coat-room and into classrooms full of forty or so eager students. Utah was then

and remains today the state with the largest proportion of its population below the age of eighteen (31 percent in 2013). As such, it has long been loath to place restrictions on class size. Large classes were the norm for me all the way through high school, and they continue to be a major challenge for public schools all over the state. In the fall of 2013, Utah persisted as the state with the largest overall ratio of students to teachers.¹ That same year, it was also the state claiming the dubious honor of spending the least per student, just as it had been in the fall of 1989 when I was in second grade (\$6,546 and \$2,577, respectively).²

Nearly all of the students at Canyon View shared my pale skin, another factor that remains largely consistent today. In 2010, the US Census estimated that just below 90 percent of the states' residents identified as white, a proportion out of sync with the national average. Given this relatively homogeneous student population, low levels of child poverty, and a dense network of social supports undergirded by the Church of Latter Day Saints, Utah's public school students have tended to perform relatively well on nationally normed assessments in spite of the large class sizes and low spending. Little in the way of sustained pressure has mounted to alter this state of affairs. Despite its low per-pupil spending, Utah is one of a handful of states that has not faced a major lawsuit regarding whether or not its school finance system provides adequate or equitable resources under the state's constitution.

Notably, a recent analysis suggests that Utah students' academic achievement, given the demographic and socioeconomic composition of its student body, is considerably less impressive than raw test scores would suggest. When these factors are accounted for and Utah students are compared to demographically similar students across the fifty states, the state's rank falls from twenty-fourth to forty-seventh.³

As a student, I had little frame of reference for class size or per-pupil spending, but my teachers, many of whom I saw often outside of school, felt quite strongly about these circumstances. As I got older, more than one let slip their frustration. The teacher union in the state organized a walkout in 1989, protesting large class sizes, low pay, and the Republican legislatures' staunch preference for tax cuts over increased funding for the state's public schools.⁴ The Republican Party has held sizeable majorities in both houses of the Utah legislature since 1978 as well as the governorship since 1985. Teacher unions are weak organizations in comparison both to the party and to their counterparts in other states. While the union is not without influence, its legislative victories have often been limited.⁵

At Canyon View Elementary in the late 1980s and early 1990s, the teachers and their students were separated from other classrooms only by rolling barriers decorated in brightly colored butcher paper. The tallest students could see over the top of our classroom “walls,” while the rest of us peeked through the gaps between each barrier. I confess that my mind sometimes meandered into other lessons. Schools in Utah, far from major hubs of educational research and innovation, tended to be slow adopting new reforms and had hopped onto the open-concept bandwagon just as other states and districts were abandoning it.⁶ While some states are regularly cited as pioneers in education, Utah has more often lagged behind, either waiting to learn from innovators or resistant to their innovations.⁷ Since there was little money in the budget to remake a building that was otherwise in good condition, and since bulging class sizes made movable walls functionally appealing, the school continued the experiment well into the 2000s.

The social conservatism that predisposed political leaders to regard new proposals with some skepticism also manifested in other ways. As an elementary school student, I began to notice that girls who raised their hands too often had fewer playmates during recess, and over time, I became deliberately quiet, sitting on my hands to prevent myself from speaking up too often. It seemed, too, that teachers more often chose boys to answer questions in math class and preferred them for demonstrations during our science hour, rare events in our cash-strapped school—I vividly recall my third-grade classmates crowding around two students as they dissected a single cow eye.

So, though I had tested in the ninety-eighth percentile for math as a fifth grader, on a different sort of exam that year I ranked my math abilities as “fair,” the option right below “average,” rather than marking the choices for “above average” or “excellent.”⁸ This self-assessment made its way into my permanent file, and when the time came, middle school administrators refused to place me in advanced math courses, explaining that my lack of self-confidence indicated that I should avoid algebra for at least another year. My mother, a former New Jersey educator, met with guidance counselors in protest, but to no avail. She argued that their reliance on a self-assessment was gender-biased and reflected disproven ideas about placement, but it wasn’t until my father visited the school and made the same argument that they relented.

Educational economists have demonstrated that the state of Utah boasts some of the largest, gendered achievement gaps among the fifty states,

favoring boys over girls in math and science, and conversely girls over boys in reading. They link this to particularly strong, traditional gender norms and show that weaker gender norms in other states are linked to greater gender parity in achievement.⁹ Slowness to adopt new pedagogical innovations, too-full classrooms, and a cultural adherence to traditional gender norms very nearly conspired to keep me from enrolling in algebra on time, which would have left me in a far less favorable position when I began applying to college some five years later.

In retrospect, my experience is particularly illustrative of the way that social and economic inequalities can interact with the informal norms and cultural practices that subtly shape state governance regimes. While I was exposed to and internalized traditional gender norms around math, and while school counselors operating within that context employed biased exams as a way of allocating scarce spaces in an algebra class, my well-resourced and persistent parents were able to intervene when these elements of the educational system in Utah threatened my opportunity to learn.

In high school, the state of Utah's requirements for graduation sought to balance high expectations with an explicit commitment to local autonomy, leaving plenty of space in my transcript for engaging electives and allowing my teachers considerable freedom to innovate.¹⁰ I took the standard slate of AP courses available to ambitious students (albeit with textbooks that were sometimes a decade old, less a problem for calculus than for biology), but also classes on world religions and "American Problems"—classes that had been proposed and designed locally by passionate, accomplished, experienced teachers. In the latter, teachers guided us through a series of performances and simulations designed to provide experiential learning opportunities. We visited nearby elementary schools, acting out the assembly meetings of ancient Athens and discussing the origins of democratic government with younger students; played a Risk-like game of global politics; and spent ten days simulating life under a fascist totalitarian regime.

At the same time, the state's halfhearted approach to funding schools created some challenges when I began planning for college. When I arrived at my counselor's office for the allotted fifteen minutes of college counseling in the fall of my senior year of high school, she scanned my transcript, determined that I was college-bound, and quietly ruled out Salt Lake Community College and Ricks College (at the time a two-year institution, now a four-year institution known as BYU-Idaho). She asked me whether I planned to attend Brigham Young University (BYU) or the University of Utah, the choices she

presented to her academically advanced students. When I explained that I was hoping to attend school out of state, she wished me luck, promised to put her name on whatever forms needed signing, and moved on to her next appointment.

Again, my parents held graduate degrees, and though they were unfamiliar with the hypercompetitive process of college application (such as it had become by 1999), they sat with me as I sifted through brochures, paid for me to take the ACT and SAT twice each, and traveled with me to visit several prospective schools.¹¹ As students around the country became better prepared for higher education and the wage premium on college degrees grew, the institutional capacity of selective four-year colleges and universities remained stagnant. Competition increased for the limited spots at these prestigious institutions, and students who hoped to attend a selective college or university began to apply to a larger number of schools as a way of coping with the increased competition.

For my friends without college-educated parents, the application process was both more and less daunting, depending on how far they hoped to stray from home. A growing body of research makes clear that when college counselors have time to spend with students, and training in how to support students who come from different socioeconomic and cultural backgrounds, they can have a tremendous impact on whether or not young people attend college, and on the kind of school they choose to attend.¹²

I now understand that in a high school of nearly 2,400 students, my counselor shared the work of designing schedules and guiding students through personal struggles, career ambitions, academic obstacles, and college decisions with just two other people, meaning each was responsible for almost 800 students, a ratio over but not substantially greater than the state's average of 730 that year—roughly three times the ratio recommended by the American School Counselor Association.¹³ Utah continues to rank as one of the states with the highest student loads for guidance counselors, with an average ratio of 683:1 in 2013, a fact that exacerbates the disadvantages confronted by low-income students especially.¹⁴

STATES AND SCHOOLS

Since leaving Utah, I have worked as a public school teacher in Texas, and as a researcher and volunteer in the public schools of Wisconsin and North Carolina. As I have moved around the country, I have often marveled at the

significant, sometimes unexpected, and very often underappreciated ways education governance and policy differ from state to state.

In Texas, I was intrigued by the state's role as a policy leader in education and caught off guard by the degree to which the state promulgated regulations that affected the daily minutiae of teaching and learning, given that I knew it as a place proudly committed to small government.¹⁵ In Wisconsin, I was surprised by the inverse—that a state with such a professionalized, proactive government would be so willing to use its authority with restraint, often in service of preserving the autonomy of its school districts and teachers. I was also disturbed when I apprehended the magnitude of the achievement and opportunity gaps between black and white children. In historically progressive Wisconsin, these gaps were consistently the largest of any state in the country throughout the 2000s, and improvements have been sluggish.¹⁶ And in North Carolina, I have encountered a state proud of its historic investments in public schools—investments that preceded and exceeded those made by most other states in the South—but simultaneously grappling with the legacies of *de jure* segregation and narrowly but deeply divided over education funding, teacher pay, school choice, and tax cuts, divisions exacerbated by partisan polarization and the fiscal stresses of the Great Recession.¹⁷

There are fifty public school systems in the country. Even though third-grade classrooms in Hawaii and Colorado may closely resemble one another, the differences between the state systems in which they are embedded are more than trivial. These fifty school systems are organized and governed differently, steeped in distinct political cultures and historical traditions, equipped with different resources both in kind and amount, and composed of student populations with varying backgrounds and needs. All of this matters greatly for the way policy change happens.

It also means that the policies and practices most likely to move one school system forward are not necessarily the same as those that will address the challenges and needs of another. The annual fifty-state report cards and rankings that many researchers and nonprofit organizations prepare today, on a range of issues from charter school legislation to the quality of standards to the fairness of school finance, are helpful ways of quickly describing state differences on a particular policy issue in a particular moment. However, they also present policies in isolation from one another and omit relevant historical context. A governance lens encourages a more holistic analysis.

For each of the states I have called my home, and for the many others I have visited, I could readily recount how the many facets of that state's

system of K–12 education governance—the institutions it comprises, the constituents who influence it, and the politics and policies they produce—come together to shape the opportunities that students, teachers, and parents encounter in K–12 schools, as well as the challenges and problems they must confront on a daily basis. Importantly, if the problems facing schools, the mechanisms by which those problems were created, and the institutional context in which those problems are embedded differ from state to state, it should follow that the solutions most likely to change opportunities for students will also need to be different.

Yet federal policy makers and education reformers have tended to underestimate or gloss over the differences between states' school systems and their approaches to governance, failing to consider historical patterns, disregarding the role of state variation in mediating the impact of a policy proposal, or actively seeking to promote policy congruence across the states. Joanne Weiss, who was responsible for administering the \$4 billion Race to the Top grant competition, has written that the US Department of Education (ED) sought to promote “comprehensive and coherent” reforms. ED was intent on urging the states toward tightly coupled systems that were coherent not only internally, but also from a policy standpoint from state to state.¹⁸ Many observers now casually refer to these efforts as the “one-size-fits-all” model of school reform.¹⁹ All the while, state contexts make or break federal policy and programs and have an independent, dramatic impact on children in schools.

Further, state governance and policy regimes are increasingly distinct and determinant in arenas beyond educational policy. This is especially true of the social and antipoverty policies that affect children and families outside of schools and interact with schools to shape intergenerational social mobility. Research published in 2015 by the Stanford Center on Poverty and Inequality described considerable between-state variation in poverty, life expectancy, and health outcomes, emphasizing that a portion of these differences could be attributed to state-level policies.²⁰

As with those trying to make and change policy, many researchers and analysts have too rarely focused on differences in states' education governance. Instead, in recent decades, more attention has been paid to the increasing activism of the federal government, and to broad trends in state governance: the convergence of policy agendas, particularly with regard to standards-based reforms and accountability; the general increase in state policy activity; and the growing integration of educational politics with

general partisan politics, exemplified by governors and mayors who are more active and vocal on educational issues than they have been in the past.

The shortcomings of the last decade and the passage of the Every Student Succeeds Act (ESSA) in December 2015 require a shift for policy makers and reformers as well as for analysts and scholars. Though ESSA maintains a focus on standards and accountability, it also returns power and autonomy over many aspects of education policy to the states. It closes the door on No Child Left Behind (NCLB), Race to the Top (RTTT), and ED waivers. In doing so, it creates an opportunity to check assumptions about what works, to design programs and enact policies that more directly engage with the structure of inequality in each state's system.

Even as federal efforts to make over school systems in the United States have garnered headlines, states have become stronger political entities.²¹ In the coming years, education reformers and policy makers will recenter their advocacy efforts on state-level policy change. State differences, always important even when they have been unacknowledged, will become even more determinant. Under ESSA state leaders now have greater freedom to design programs and policies that tackle the opportunity gaps most salient for their students.

If this new era of reform is to translate into real benefits for children in schools, policy makers and reformers must move beyond the one-size-fits-all approach to education policy, an approach that has raised the profile of schools on public agendas but simultaneously created many problems over the last two decades, leaving largely intact the achievement gaps it sought to close. If scholars, reformers, teachers, and a growing community of concerned students, parents, citizens, and pundits hope to understand, evaluate, and anticipate policy change, they will need to become more familiar with the dynamics of state-level education governance and politics. This book is my attempt to help make sense of an educational system that is often daunting in its complexity.

The first step toward navigating the American educational system requires recognizing that we are not confronting a single system but rather fifty state systems, each a product of a unique centuries-long historical process. Though an entire volume could be devoted to each one (and in some cases has been), this book focuses on three key dimensions along which state systems differ from one another: *fragmentation*, the extent to which they are institutionally broken up into many local school districts or consolidated into a smaller number of jurisdictions; *exceptionalism*, the degree to which

educational policy processes and constituents are integrated into the state's political system or sequestered from it; and *local control*, the extent to which policies are committed to school and district autonomy and flexibility versus exercising state authority. These characteristics of state governance combine to influence every stage of the policy process, from agenda setting to implementation, and in so doing reshape socioeconomic and racial inequalities.

I investigate how states currently differ from one another, and how they have differed in the past. I also examine how these differences relate, and suggest that reformers and policy makers deliberately consider these aspects of state governance as one part of ensuring that schools around the country are able to make sustained improvements, rather than endure constant reforms. Governance is not just about government—it refers to something larger, a regime that is cocreated by governmental institutions in concert with stakeholders and citizens, and it can evolve not just through institutional reforms, but also through different strategic choices made by individuals and organizations about how to conduct their advocacy.

Though this book is critical of recent reform efforts, it is not an argument against policy change or against states learning from and adopting one another's policy innovations, nor is it an argument against a federal posture that pressures states to consider equity and remains vigilant to discrimination; on the contrary, such pressure is vital. This book is instead an exploration of how states differ from one another in the way they govern and administer their schools and how those differences impact policy processes and outcomes. Given that the states possess the greatest capacity and legitimacy to determine educational policy, such a study is needed. I do argue that accounting more carefully for those differences would yield more sustainable, effective reforms.

Next, I explain briefly why states have so often been afterthoughts for reformers and federal policy makers, and how this inattention fosters policy churn and ultimately interferes with sustainably improving schools. I then describe the backlash against one-size-fits-all reform efforts and assertive federal education policy, after which I preview the chapters of the book.

WHY STATES HAVE BECOME AFTERTHOUGHTS

The recent tendency among policy makers and reformers to overlook state governance, policy, and culture is part of a shift toward nationalized partisan politics that has impacted many policy arenas. But it is also grounded in a

set of more specific rationales. Education reformers throughout the history of public schools in the US have had grand ambitions to improve the moral fiber and academic opportunities of as many children as possible. Often they have combined this ambition with a strong commitment to a specific, narrow set of reforms. High hopes, clarity of vision, and a desire to help vulnerable children naturally foster a palpable sense of urgency and frustration when confronted with incremental policy change—the little-by-little reforms that dominate America’s sclerotic-by-design system of governance.²²

Grand Ambitions and a Specific Reform Agenda

Given this combination of ambitions (to reach all children) and beliefs (that there is a best way through which to accomplish that end), reformers have often eschewed labor-intensive strategies that promise diverse reforms and a more uneven pace of change. Rather than navigating and coalition-building across fifty different political environments or thousands of local communities, to collaboratively identify a slate of reforms that best suit the needs of the students in each state, they have attempted to consolidate administrative units or to target a higher level of government whenever possible. They have focused on promoting a specific set of top-down reforms.²³ The reformers who have come to dominate in the twenty-first century, concerned about achievement gaps, committed to standards and accountability, and armed with technologies that speed communication, fit neatly into this historical pattern.

Even conservative policy makers and reformers, who have tended to oppose muscular federal policy and have steadfastly argued for state autonomy in other policy arenas, have often suspended their usual wariness of central authority and thrown their support behind federal initiatives that promise to advance standards-based reform, accountability, and school choice. The primary example of this is NCLB. Even efforts directed at state-level policy change have centered on advocating for a particular school choice or accountability policy, rather than on evaluating the assets and challenges of a state’s school system and working to rally local and state stakeholders to develop proposals that would address the direst needs of that state’s students and families or challenge that state’s most dysfunctional institutions.

For example, the national education reform organizations 50CAN and StudentsFirst (now partners) have created state chapters across the country. While the groups’ timing has clearly been strategic in terms of choosing

states where legislatures may be particularly open to their agendas, the policy goals for each state's chapter are remarkably similar to one another. Both the National Alliance for Public Charter Schools and the pro-charter school Center for Education Reform have annually produced reports that rank states' charter school laws on a variety of dimensions and promote the adoption of a specific version of charter school legislation. Similarly, the American Legislative Exchange Council has drafted and disseminated model legislation for charter school laws, K-12 education tax credits, teacher evaluation, and parent trigger laws, among others. Michael Mintrom describes a similar phenomenon in his 2000 study of the spread of school choice across the states. Policy entrepreneurs, committed to the idea of school choice, worked to advance it—without evidence that it necessarily benefited students or was needed in the state.²⁴

Distrust of State Governments on Matters of Equity

Beyond the smaller scale and more uneven pace that come with a more state-centered, differentiated approach to education reform, there is an additional set of reasons why reformers, on the political left in particular, might view such a strategy with skepticism. Liberal, progressive education policy makers and reformers of the last two decades have endorsed high academic standards and accountability as mechanisms for improving academic achievement and measuring inequality. However, ensuring equal opportunity for the nation's poor and nonwhite children has been what, at least ostensibly, drives them. That goal of equity has remained essential, even when the policies put forward are focused on standards and accountability, which take less direct aim at inequality than the more traditional civil rights campaigns like desegregation and funding. These reformers talk and write often about closing achievement gaps between privileged and less privileged groups of students, and they have often spoken of educational inequality as “the civil rights issue of our time.”²⁵

For progressive reformers in particular, the federal government's track record on issues of equity, especially regarding race and ethnicity, is much stronger than that of the states. In fact, the phrase “states' rights” provokes a visceral response among many students of American history. They simply do not trust states to fulfill their obligations to all children equally.²⁶ The tendency for advocates on the left to focus strategic efforts on federal policy is evident beyond the scope of educational policy and has translated into extraordinary Democratic losses in state legislatures over the last decade.

Distrust of state governments on matters of equity is also apparent in the design of educational policies. NCLB, for example, afforded states very little flexibility around reporting requirements and school accountability for economic and race-based achievement gaps. Under the law, schools had to report achievement based on race, ethnicity, and economic status, and states were legally required to intervene with sanctions if any group fell below the targeted proficiency rates. This is not to say that states universally pursued equity as an aim, but the law's provisions were more specific on this point compared to others.

Arguments in favor of states' rights—that is, of limiting federal authority and locating power at the state level—were deployed in defense of slavery, to resist the US Supreme Court's *Brown v. Board* ruling of 1954, and to protest the Civil Rights Act of 1965. Since the 1960s, campaign promises to uphold states' rights have regularly been used as coded appeals by candidates who on the one hand found the political climate hostile to open expressions of racial animus, but on the other hand wanted to signal solidarity with voters who still held such resentments. These voters were strongly opposed to federal policy interventions.²⁷

The phrase and the strategy are therefore associated with violent suppression of black Americans and political resistance to granting them full equality under the law. Today, the phrase connotes a cynical willingness to leverage that legacy—to stoke racial animus among voters—if it might help to secure an electoral victory. When recommended as a strategy for change or referenced in critique of federal policy, the concept of states' rights is reasonably met with skepticism by those who are committed to racial equality.

If reformers' frustration with a slow pace of change is understandable, their wariness is also justified. Recent state policies on voting rights suggest that there remains in many state capitols, at a minimum, a willingness to disenfranchise black voters if it will secure a partisan victory. Multiple studies have also demonstrated a link between punitive state approaches to welfare reform and stronger attitudes of racial resentment.²⁸ Further, women, racial minorities, and ethnic minorities remain underrepresented in state legislatures.²⁹

THE TROUBLE WITH IGNORING STATE DIFFERENCES

There are also perverse consequences associated with top-down federal mandates as a core strategy for promoting educational reform, however.

This is in part because policy-making does not end with the passing of a law. Once a policy has been enacted, it must be implemented—tests designed, standards written, textbooks edited, teachers trained, websites built—and there are myriad ways in which the implementation of a policy can depart from the ideal envisioned by lawmakers in Washington, DC. In education policy, federal programs and mandates are typically implemented by state and local actors who may differ both in the extent to which they believe in the reform (i.e., willingness) and in their ability to fully comply (i.e., capacity). Hence, a policy takes hold and appears effective in one state but ineffective in another.

Variable Implementation

This uneven implementation process was on display after NCLB was signed into law in 2002. On its face, the requirement that states adopt standards and administer reading and math tests to students in grades 3–8 seemed straightforward. Yet, in practice, implementation varied greatly; some states developed detailed standards, while others generated learning goals and objectives that were so broad as to be vague. Similarly, some states set the threshold for proficiency quite low, while others set it much higher.³⁰ States that had already implemented standards, testing, and accountability measures had more to build on than those that abstained from the reform wave of the 1990s.³¹

Even administrative decisions as seemingly unimportant as timing of the tests could alter the impact of the policy in a big way. If a state complied with NCLB by administering assessments in the fall of the school year versus the spring, it could substantially reduce the tests' impact on instruction. This particular adaptation may not have been a bad thing, given the extent to which NCLB's testing requirements more generally caused schools to narrow the scope of their instruction.³²

Variable implementation is unavoidable in federal education policy. The federal government does not operate public schools, lacks constitutional authority over them, and provides only 10 percent of the funds that support public K–12 education.³³ Therefore, it must design policies and programs in ways that preserve flexibility for state and local leaders. Sometimes this flexibility allows state and local policy makers to adapt a program so that it better fits their local needs while maintaining fidelity to the core aims of its designers. Sometimes partial fidelity to implementation is anticipated

by policy makers and accepted. Other times, this flexibility simply affords state and local policy makers adequate opportunity to subvert the intention of the law. In the latter case, precious resources—money, time, and creativity—are often spent on compliance rather than invested in something that might have a more direct, beneficial impact on students.³⁴ For its part, NCLB appears to have had no significant or substantial overall effect on race-based achievement gaps in the United States, though there are differentiated effects on achievement gaps across the states.³⁵

Political Backlash

Even when reformers leverage their political clout to lobby for adoption of a program by state-level leadership, failure to adapt the policy to state contexts or efforts to bypass regular political channels in search of a quick victory can generate political resistance later in the policy process. This was the case with the Common Core State Standards (CCSS), in which reformers partnered with interstate organizations, chiefly the Council of Chief State School Officers (CCSSO); philanthropists, including the Bill & Melinda Gates Foundation; and ED. Together, they convinced and coerced legislatures and state boards of education to quickly adopt the common standards.³⁶ However, the often closed processes by which the standards were adopted in many states served to delegitimize them in the eyes of educators and parents. Difficulties, inconsistencies, and lack of resources to support implementation efforts further exacerbated public antipathy to the new standards and to the process by which they had been adopted, and many legislatures began to consider repealing them.³⁷

In a number of states, legislators took their response a step further to redesign the institutional process by which content standards were adopted.³⁸ The standards themselves may be a sound foundation upon which to build a curriculum and design assessments, but their academic value is almost beside the point, given how they have been enacted, implemented thus far, and received by the increasingly politicized public. In 2015, 35 percent of the public and 50 percent of teachers expressed antipathy toward Common Core.³⁹

Policy Mismatch

At the root of both the disappointing implementation of and the political resistance to reform efforts is often a mismatch between a new policy and the needs and capacities of the public schools in a particular state. The RTTT

program of 2010, for example, demanded significant and specific policy commitments from states—raising academic standards, collecting better data on students, and using data to evaluate teachers and principals, among others—in exchange for federal funds. Signaling this mismatch, many states opted out of the RTTT process, including California and Texas, two of the largest states in terms of population and both states that serve a large percentage of the nation’s Hispanic and Latino children. Because of the way the US population is distributed, undifferentiated reform efforts risk repeating this kind of exclusion.

Many of RTTT’s policies may work well, under the right circumstances, given adequate time and resources. However, few states had in place the necessary infrastructure to leverage the full potential of these ideas. Ultimately, there was a great deal of legislative reform in response to RTTT, and grand promises were made, but the results of the \$4 billion program—in terms of improved outcomes for students—were on the whole disappointing.⁴⁰

In spite of resistance to RTTT, the policies it incentivized states to adopt were effectively mandated when Congress failed to reauthorize NCLB, and states found themselves having to apply for waivers to avoid the law’s most stringent accountability requirements. By November 2015, forty-five states had applied for flexibility waivers, and forty-three states’ plans had been approved.⁴¹

Volatility and Churn

All of these factors have translated into a kind of policy churn that presents real challenges for school leaders, educators, parents, and students. Too much reform can be as much of a problem as not enough.⁴² In the last fifteen years, escalating federal and reform efforts have created an environment in which the critical tasks of school leaders and teachers—regarding what students are supposed to learn, how their learning should be assessed, how content should be taught, and how states will monitor educators and hold them accountable for those learning outcomes—are constantly being redefined and are frequently in conflict as a result.⁴³ The same policy turbulence that primarily affected urban districts in the 1990s is now an endemic problem.

The byproducts of a volatile policy environment have been well documented.⁴⁴ Teachers must learn and implement a new program every few years, rather than being allowed the opportunity to advance their expertise, and with each passing reform they find themselves increasingly skeptical of

the next.⁴⁵ Good policies and programs are not granted the time they need to take effect. Programs that are beneficial to a specific group of students can be abandoned because they do not have broader impacts. New policies and programs crowd out other tasks.⁴⁶

RESISTING REFORM

So policies have shifted dramatically and often, leaving district leaders, principals, teachers, parents, and even education researchers scrambling to keep up. It is no wonder that many of the people most closely engaged with schools are struggling to reconcile feelings of whiplash with a nagging sense of *déjà vu* as mandates change yet again. The widespread frustration over too-frequent reform has provoked a palpable shift in the political environment—both greater skepticism toward reform in general and a targeted effort to rein in the federal government.

These responses go beyond simple disavowal of the Common Core. When state legislatures in Indiana and Oklahoma reconsidered those standards, they also reconsidered other assessment and teacher evaluation policies in the process. Large majorities of parents now say there is too much emphasis on standardized testing in public schools.⁴⁷ And, according to *Education Next's* 2014 and 2015 polls, the percent of those in favor of charter schools, tax credits for private school tuition, school vouchers, merit pay for teachers, and ending teacher tenure protections—all high-profile elements of the reform agenda—decreased across the board.⁴⁸

Narratives of failed reform efforts seem to be ubiquitous, cautioning that there are no silver bullets when it comes to improving schools. In the aptly titled *So Much Reform, So Little Change*, Charles Payne argues that thirty years of reform efforts by both liberals and conservatives have failed to produce meaningful change in Chicago's schools, largely because they have little bearing on the daily challenges that educators and school leaders confront.⁴⁹ Sarah Reckhow writes about the pitfalls of philanthropic engagement with policy reform when it bypasses local stakeholders.⁵⁰ Dale Russakoff describes the failed efforts of Facebook CEO Mark Zuckerberg and then-Mayor Cory Booker to rehabilitate the Newark City Public Schools.⁵¹ And, in *The Allure of Order*, Jal Mehta describes both the impulse to rationalize schools through top-down reforms and the ultimate failure of those efforts to achieve their aims.⁵²

Applications to Teach for America have also fallen dramatically in recent years.⁵³ And the education reform movement—once a loose but surprisingly coherent alliance of Republicans and Democrats, liberals and conservatives—has begun to fracture. In May 2016, at the New Schools Venture Fund Summit in San Francisco, leading education reformers gathered to discuss the future of the movement. The opening plenary featured a conversation with a Teach for America executive who had been active in Black Lives Matter, and throughout the summit issues of racial identity and solidarity featured prominently in dialogues. Following the summit, bloggers from the Thomas B. Fordham Foundation, the Century Foundation, and the American Enterprise Institute, as well as the leader of the New York Campaign for Achievement Now, all described a growing split in the movement. Conservatives reported feeling alienated by a liberal orthodoxy that seemed to be moving beyond the singular focus of reformers on schools—the narrow agenda that had for so long facilitated collaboration across party lines. Liberal writers explained that they viewed a broader focus on antiracist and antipoverty actions as critical aspects of achieving lasting change in schools.⁵⁴

WHEN REFORM WORKS

At the same time, prominent examples of improved academic outcomes can be found in places where reform efforts have been measured, steady and responsive to state and local governance, both in the process of pursuing policy change and in the design of policies themselves.⁵⁵

In a 2013 letter to the *Boston Globe*, Thomas Payzant, former superintendent of the Boston Public Schools, and Elaine Weiss of the Broader, Bolder Approach to Education wrote that RTTT funds were well spent in Massachusetts, because the state's efforts at education reform had been ongoing for more than two decades and were guided throughout that period by a consistent vision. The grant funding supplemented efforts already under way and embraced by local and state leaders.⁵⁶ Their letter echoed one written by Payzant in 2005, explaining how political stability had facilitated reform and contributed to substantial academic gains in the Boston Public Schools.⁵⁷ Indeed, Massachusetts' academic gains between 1992 and 2011 rank among the highest in the nation, according to an analysis of the forty-two states that participated in the National Assessment of Education

Progress (NAEP) over the entire time period.⁵⁸ Notably, Massachusetts tops the list of states for its NAEP achievement, even when scores are adjusted to account for differences in the demographics of students across the states.⁵⁹

Also ranked highly for its progress as measured by NAEP between 1992 and 2011 is Kentucky. In 1990, in the aftermath of a lawsuit brought against the state by superintendents of poorer school districts, the state legislature and a coalition of education and business leaders came together to support a sweeping package of reforms, the Kentucky Education Reform Act (KERA). Rewriting the state's school finance laws was a key element of KERA, but it included other provisions that altered the formal relationships between the state's commissioner and state board of education, encouraged community engagement, raised academic standards, introduced accountability testing, and allowed for grouping K–3 students by need and ability rather than simply by age.

These policies demanded massive change from school leaders, faculty, and parents, but the package of reforms was carefully negotiated; addressed a critical disparity in the state of Kentucky through a significant redistribution of resources to poorer districts; and—crucially—was backed by a coalition that remained engaged throughout the long implementation process. Since KERA's adoption, core education policies in Kentucky have largely remained true to the vision set forth in the law, even as some programs were added or amended. A recent analysis of the state's success in raising high school graduation rates named this slow, steady approach—a willingness to invest resources and allow time for reforms to take hold—as key to the state's success in improving K–12 outcomes.⁶⁰

To be clear, measured and steady does not imply apolitical: schools are inherently political institutions, and conflict over their funding, organization, and operation is inevitable, and—arguably—healthy in a multicultural, multiethnic democracy like the US. Rather, it means that reforms are the product of negotiation, and are passed with the support of coalitions that include the educators and school leaders who will be charged with doing the work of implementation, as well as the businesses and parents who will need to encourage and monitor those efforts. As a result of this work, the goals and broad outlines of reforms stand a greater chance of being maintained and built upon rather than done, undone, and remade. The likelihood of implementation failures, political backlash, policy churn, and mismatch can be substantially lessened.

PLAN OF THE BOOK

This book offers a framework for making sense of complex but consequential systems. It is a structured inquiry into how school governance varies and how that variation matters, and as such it offers scholars of education governance and analysts a set of conceptual tools for understanding and navigating these different systems. It investigates how states differ at present and how they have differed in the past. This is also a book about how these differences have impacted policy, how they relate to one another, and how reformers and policy makers can engage with state differences in order to ensure that schools around the country are able to make sustained improvements, rather than endure constant reforms. Each of these aspects of a state's system shapes the policy process.

This framework requires assembling what we know about specific policies, actors, and institutions to consider states as systems. To accomplish that aim, I employ a mixed methodology, drawing on quantitative data collected from a variety of public sources as well as more qualitative data collected from administrative and legal records, gubernatorial public addresses, other public statements, and interviews with public officials.⁶¹ This mix of data facilitates both big-picture and close-up analyses, allowing me to describe the aggregate characteristics and context for education governance in the United States and then to parse state differences and local dynamics.

The first three chapters examine the theoretical grounding and history of education governance in the United States. Chapter 1 presents an iconic episode of reform centered on the famed teacher unionist Albert Shanker and the passage of the first charter school law in Minnesota. This case study serves as a jumping-off point for exploring the concept of governance—what it includes and does not, and how it should be analyzed. Drawing on other writings in the field, I then present a simple schematic framework of governance and its components: government institutions, constituents and stakeholders, and the politics, processes, and practices that they coproduce. The framework highlights the larger context in which education governance is embedded and introduces terms and ideas that will recur throughout the book.

Chapter 2 explores the emergence of public school systems and describes key moments in the development of education governance in the United States through the middle of the twentieth century, with a particular focus on government institutions and how they have evolved. It introduces the

core concepts explored at the state level in the second half of the book: fragmentation, exceptionalism (the inverse of integration), and commitments to local control. These have been the subjects of much writing in that they characterize American education governance in the aggregate, and distinguish it from the systems common in other countries. Chapter 3 builds on this early history by discussing more recent changes in education governance, starting with the civil rights movement and concluding with the adoption of ESSA. Though states in particular built up administrative capacity throughout this more recent history, the character of education governance was transformed most significantly by policies, practices, and an expanding circle of constituents, rather than the kinds of institutional upheavals that stand out in chapter 2. The chapter highlights concerns about equity and excellence, standards and accountability, and the shifting relationship between state and federal governments with regards to public education. Together chapters 2 and 3 comprise an investigation into historical factors that have shaped differences among the states and tensions among levels of government that persist today.

Chapters 4, 5, and 6 explore specific aspects of education governance among the states, with each chapter addressing a particular dimension and how it evolved, varies across the states, and impacts opportunities and outcomes for students. Chapter 4 focuses on institutional fragmentation. The school district is the foundational administrative unit of education governance. State school systems vary tremendously in the extent to which they are divided into these units. At one extreme, Hawaii's public school system is consolidated into a single district; at the other, more than one thousand regular local school districts were operating in Texas during the 2012–2013 school year.⁶² The fragmentation or consolidation of a state's school system has important consequences for educational policy. Large numbers of districts create a coordination challenge for local school boards or superintendents who may want to influence a state's political process. They may present challenges for the state as well, in terms of providing consistent support, monitoring the implementation of programs, or rallying districts around a new initiative.

Understanding the impact of state approaches to education governance is, however, about more than discerning different patterns in policy-making and administration. Systems of governance can reinforce or create problems that lay at the root of divisive politics or inequality. Fragmented state systems can reinforce racial and economic segregation in the public school system,

concentrating students who are wealthier, more educated, and white in one district and cutting them off from their poorer, black and brown neighbors. Large, urban districts can be—and often are—extraordinarily segregated. However, large numbers of small districts make it easier for families to self-segregate, and school district boundaries formalize these divisions, raising institutional barriers that keep states and localities from pursuing policies that might encourage integration or redistribution. A recent wave of school districts attempting to split from one another makes understanding these dynamics all the more pressing.

Chapter 5 continues exploring the institutional foundations of state education governance. Americans have long believed that major decisions about public schools ought to be apolitical—in other words, that partisan conflict has little place in education policy and that professional educators and administrators are best equipped to make decisions about public schools. The chapter explores the theory behind exceptional education governance, and the reality of low turnout and engagement. It describes the mechanisms at both the state and local levels that are intended to insulate educational politics from partisan politics, including off-cycle elections for local and state education leaders, nonpartisan electoral contests, and limits on fiscal authority.

While state systems have each at some point included at least one of these mechanisms, their particular configuration has always varied, with some states going further to sequester education governance than others. This chapter describes these differences at present and the relationship between local and state mechanisms that drive or prohibit exceptionalism. There is an unmistakable trend away from governing schools separately. Governors and legislatures have pursued institutional reforms that sync up educational elections with general elections, or they have attempted to eliminate these elected offices entirely in favor of appointed ones.⁶³ In recent decades, state legislatures have become more active, governors more vocal, and parties more proactive in endorsing nonpartisan candidates. Yet this trend has clearly not been embraced with equal fervor across the states. This means that in some states educational policy is debated in an increasingly mainstream, partisan political environment, whereas in others major policy decisions about public schools remain primarily the province of education leaders.

As with fragmentation, this chapter argues that these institutional mechanisms therefore make certain kinds of political conflict—between

educational leadership and other state leaders, or between parties—more or less likely to arise.

Chapter 6 examines one of the most commonly studied aspects of education governance in the United States: local control. It illustrates how local control is a near-constant refrain for educators and school leaders throughout America, as well as among those who study educational policy and governance. In fact, drawing on both interviews with policy makers and analyses of their public statements, this chapter describes how most state-level policy makers believe they are committed to local control and operating within an educational system dominated by deference to the ideal of local autonomy. This belief is important, especially as it shapes legislative agendas and policy design. But what *is* local control? The term's ubiquity renders its meaning and consequences unclear.

With a few exceptions, when scholars identify local control as a salient feature of the American school system or write about the significant shift of power away from localities, they have generally neglected to consider how commitments to and conceptions of local control differ in important ways across state contexts.⁶⁴ Often, the fragmentation of a state's school system or the degree of exceptionalism—the aspects of state education governance discussed in chapters 4 and 5, respectively—are assumed to indicate levels of local control, yet the term implies something more than just the presence of many school districts. It suggests local autonomy over budgets, curricula, and personnel decisions.

In order to assess degrees of local control in a more nuanced fashion, this chapter suggests that one way to gauge local control could focus on the density of education policies a state has produced, the restrictions it has placed on the use of funding streams, and the limits imposed on state action. Examining substantive policies related to curricula, teacher certification, spending, and state takeover enables levels of local control to be traced over time and compared across states. Without question, local autonomy appears more constrained now than in the past. However, again there is variation across the states. Some states emerge from this analysis as active policy makers, where local autonomy is narrowly circumscribed by a dense regulatory environment, while others appear to be purposeful laggards, where state activity is restrained and preserves local autonomy. Even more notable is the extent to which some states in recent years have deliberately stepped back their regulatory efforts, reducing the number

of exit exams and directing their efforts toward enhancing local capacity and expanding the scope of local decision-making. Of course, the impact of local autonomy on educational outcomes and opportunities depends on the nature of that autonomy, on the capacity of local districts, and on the inequalities that manifest between them. (The data used throughout the book and the empirical analyses underpinning chapters 4 and 6 are described in the appendix.)

The concluding chapter builds on these discussions in order to consider how the three aspects of state education governance interact with one another and how advocates and reformers might take stock of state-level education governance in their efforts to improve schools. Engaging these structures rather than circumventing them offers up the possibility of anticipating implementation pitfalls, increasing the public legitimacy of policies and programs, and allowing local and state priorities to drive the policy process, all of which combines to create more lasting, sustainable reform.

ROLLING BACK FEDERAL POLICY

The turn away from education reform, and this slight shift toward an alternative theory of change, is intertwined with the perception that there has been overreach on the part of the federal government. Some measure of this sentiment was apparent in 2009 when President Obama assumed office and announced his plans for the reauthorization of NCLB. The president sought to expand the federal government's efforts at turning around the lowest achieving schools, strengthen teacher evaluations by linking them to student assessments, broaden the use of merit pay, and reduce restrictions on the operations and growth of charter schools.⁶⁵ At the time, the law was already overdue for reauthorization by two years, but his opening gambit met with resistance from those who hoped for a reduced federal role in education. The Great Recession and the legislative battle over the Affordable Care Act further ensured there was little debate in Congress on the subject of NCLB's reauthorization. When the issue resurfaced in 2011 and 2013, prospective bills could not garner enough support to clear the Senate.⁶⁶

Central to these debates over NCLB's reauthorization was the degree to which federal power over public schools would be rolled back. While

NCLB's reauthorization languished in Congress, schools and states struggled. Under NCLB's provisions, 100 percent of students in every school needed to achieve proficiency by the spring of 2014 in order to meet the federal government's Adequate Yearly Progress requirements (AYP). The goal was established when NCLB was adopted in 2002, with the expectation that the law would have been reauthorized well before 2014, and no school would actually be declared failing for its inability to reach that high benchmark. President Obama and Secretary of Education Arne Duncan leveraged the opportunity to take an extraordinarily active role first through RTTT and Common Core, and then by issuing states waivers from NCLB's AYP provisions under somewhat arbitrary conditions. Often waivers were withheld or delayed because states resisted implementing teacher evaluation systems that included student test scores.⁶⁷

Opposition to a strong federal role coalesced in response to these efforts, as governors, chief state school officers, the National Conference of State Legislators, and many members of Congress demanded that the reauthorized law include greater autonomy for the states.⁶⁸ In December 2015, when ESSA managed to clear both houses, many regarded it as a law shaped very much by reactions against federal activism.⁶⁹ ESSA earned at least partial approval from the administration, both parties, teacher unions, and even civil rights groups. It is widely regarded as a bill that reduces federal power over schools. The secretary of education, for example, is prohibited from encouraging or requiring states to adopt a particular set of standards.

In the process of reducing federal influence, ESSA returns to the states considerable authority over the design of accountability systems and the nature of annual assessments. The law maintains a number of NCLB's provisions—including annual testing of students in grades 3–8 and once in high school, and reporting of test score data for schools by subgroups of students—but the flexibility it returns to states is substantial.

ESSA presents policy makers, reformers, scholars, and analysts with equal parts opportunity and challenge. With the federal government playing less of a role in determining the structure of accountability systems and assessments throughout the states, state and local leaders will have greater freedom to create policies and programs in concert with state and local stakeholders. Shifting the locus of control over education to state capitols also means that a more diverse array of individuals and organizations, including groups not able to maintain a presence in Washington, DC, will theoretically be able

to participate in the policy process. There is a renewed imperative, then, to explore and understand state-level education governance and politics. It is my hope that this book will facilitate that exploration and in doing so better equip the many people who care about education to ensure that states more effectively use the authority granted by ESSA to achieve equitable and sustainable outcomes for students.