

**Reforming Educational Governance:
Lessons for California from Texas and Florida**

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This report was prepared for the Irvine, Gates, Stuart and Hewlett Foundations as part of a series of studies in support of the California Governor's Advisory Committee on Education Excellence.

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Abstract

California's educational governance system has been criticized for being overly complex and inefficient. This study follows prior work on educational governance in California in which areas for improvement were highlighted. In an effort to make recommendations for improving California's system, select reforms in Florida and Texas were examined through the lens of a three dimensional schema developed to help analyze educational governance systems. Interviews with key state-level stakeholders in each state rated the reforms against five criteria of effective governance: stability, accountability, innovation, transparency and simplicity. Findings reveal that while each reform holds promise for increasing the overall effectiveness of an educational governance system, implementation and sustainability challenges hindered efforts in two of the three case. Lessons learned from these two case studies can help inform California policymakers when considering similar reforms.

Introduction

California's educational governance system is complex. Stakeholders have labeled it everything from "fragmented" with "unclear lines of authority" to "the worst I can imagine" (Brewer and Smith, 2007a). One impediment to effective governance is the sheer size of the system: over 9000 schools, over 1000 districts, 58 county offices, and numerous state institutions including the State Board of Education, State Department of Education, Superintendent of Public Instruction, the legislature, governor and Secretary of Education. With so many "moving parts" it can be difficult to know exactly who is in charge of what.

There is a widespread belief that in order to attain the performance goals the state has set, and to meet the requirements of the *No Child Left Behind Act*, reform is needed. There is also general consensus – among current system actors as well as researchers examining the system – that governance matters. As Timar states in his 2002 study of school governance in California, governance "defines the kinds of educational opportunities children have; what kinds of resources are available to them; who teaches the children; what is taught in the classroom; what is tested; and what educational norms and values are transmitted" (p.5).

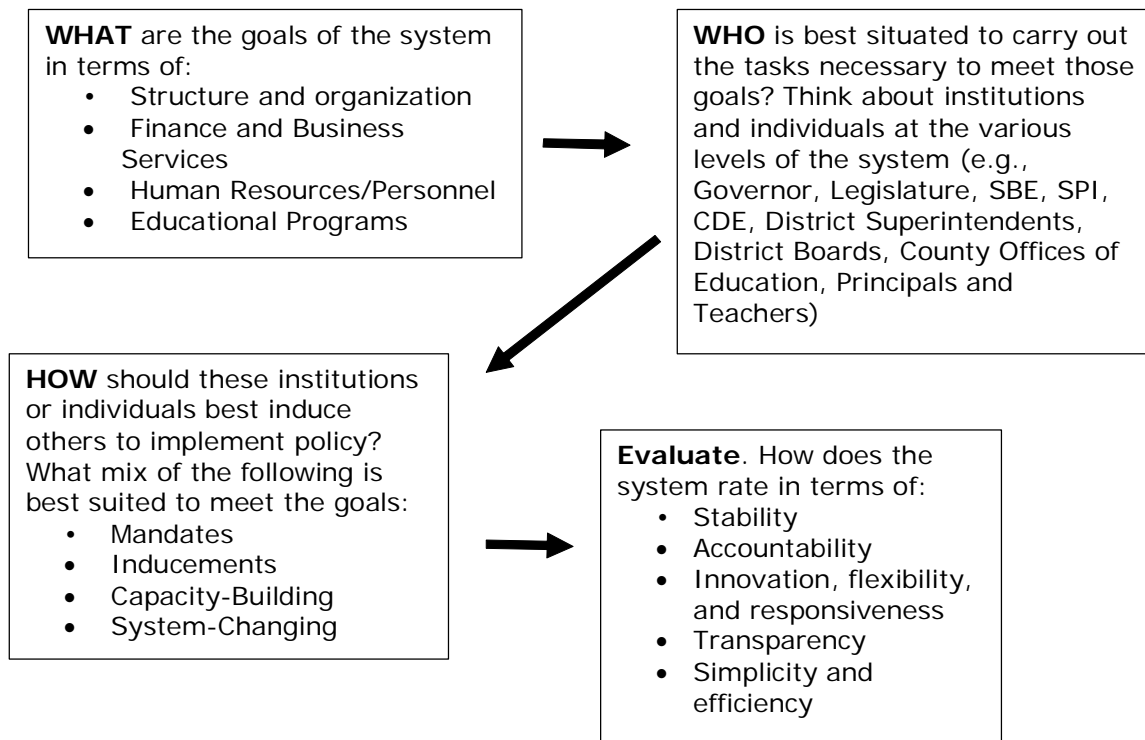
Agreeing that change is needed is easier than agreeing what changes are needed. This study grew out prior work on educational governance in California that offered possible reform recommendations for California based on findings from prior studies, stakeholder perspectives, and an overview of promising reforms in other states (see Brewer and Smith 2007a and b). That study included interviews with dozens of educators and policymakers at all levels of the educational governance structure in the state. This study extends that work by looking in more detail at specific reforms in two other states – Florida and Texas – as one way to devise reform recommendations for California.

Study Framework

The framework for this study is derived from our earlier work on California's system of educational governance in which we presented a three dimensional schema to understand the

who, what, and how of a given governance system and offered five indicators of effective governance to evaluate a system. The framework, shown in Figure 1 below, provides a starting point for assessing a system as complex and multi-faceted as the one in California (for a complete description of this framework, see Brewer and Smith 2007a and b).

Figure 1: Framework for Understanding and Evaluating a Governance System



The first dimension in our framework, the “what”, is the set of *functions* required for the system to meet its goals. This element involves everything from how schools and school districts will be organized to how resources will be generated and allocated. The second dimension is the *institution*, the “who” that carries out each of the functions. This includes the various organizations and stakeholders at the state, district, county and local school level listed above. The third dimension, the “how” specifies the *mechanism* through which the functions get carried out by each level. This can include regulations and incentives.

In California, the “who” tends to trump the “what”, especially as education has become more politicized and struggles for power have magnified. The current system has evolved over

time from one of strong local control to one that has shifted much of the decision making and financial authority to the state. Interviewees consistently noted that since *Serrano v. Priest* and Proposition 13, the state has had the “power of the purse” which has led increasingly to a state role in setting education policy.

Looking at the “what” in California provides further evidence of power shifts from local to state authorities. However, there are considerable differences in the distribution of authority by function. Some, such as resource generation, are dominated by a single level (in this case the state), while in others there is more shared control. Also, while the shift from local to state control has grown steadily, the federal government has become an increasingly important player in recent years though *No Child Left Behind* legislation.

The state exercises its power through a number of mechanisms. The “how” includes propositions, legislation, and the state Education Code. On top of these are state and federal reporting requirements – as well as legal decisions, court orders and so on – on any number of topics ranging from student discipline to personnel to facilities management. In addition, through standards-based accountability and an increasing number of categorical funding streams over general fund revenues, the state is able to significantly influence the instructional program and business and personnel practices that districts must follow. The “how” is clearly reliant on compliance and mandate over inducement.

The final step in the framework is to evaluate how well a system is functioning. The five characteristics of good governance shown in Figure 1 are defined below in Table 1, from Brewer and Smith (2007a). In our prior work, stakeholder interviews, document analysis and reviews of prior research led us to conclude, “On these dimensions, California does not fare well. The picture is one of weak accountability, efficiency and stability, and only moderate transparency and innovation” (Brewer and Smith, 2007a, p.177).

Table 1: Five Characteristics of Good Governance

Characteristic	Definition and Rationale
Stable	A stable governance structure is one in which policy is made and implemented in a way that is known as far in advance as is reasonably possible. Revenue is known in advance for planning. Policies are given an opportunity to work before changes are made. There are few major changes of direction or new initiatives introduced suddenly. Leaders have tenures that allow for knowledge development and on the job learning. Stability enables actors in the system to act in a rational and planned way. This is important for the development of expertise and long term investments in capacity.
Accountable	A governance structure with strong accountability is one in which there are clear lines of authority between the various parts of the system, with limited duplication of functions, so that it is possible to identify the source of decisions. There are consequences for good/bad behavior and outcomes. Actors in a system with strong accountability understand their roles. Accountability gives the right incentives for actors within the system to accomplish their goals. There is alignment between decisions to raise revenue and decisions to spend revenue.
Innovative, Flexible and Responsive	An innovative, flexible and responsive governance structure is one that is adaptable to changing context and able to respond appropriately to new short and long term external demands upon it. New approaches are encouraged; many ideas are generated and spread throughout system. Innovation, flexibility and responsiveness are essential for a system to adapt to changing needs and ensure cutting edge knowledge is used.
Transparent and Open	A transparent and open system is one in which it is clear to the public and all stakeholders how decisions are made, who makes them and participation is encouraged at every level. Transparency allows for the exchange of information between the different levels of the governance system. An open and transparent system is less likely to be subject to 'capture' by special interests, less likely to have corruption and bribery and most likely to encourage public engagement and support of schools. There is an open flow of information, monitoring and evaluation data, and mechanisms to communicate performance to citizens.
Simple and Efficient	A simple and efficient governance structure is one that ensures decisions are made in a timely manner and with minimal overlap or confusion among entities. Decision making is located where knowledge is greatest. Policy is coherent and decisions across multiple domains and levels are coordinated so that there is minimal duplication and waste. The decision making and implementation structure is not burdensome on stakeholders in the system. Costs are minimized.

Research Methods

In an effort to make concrete recommendations to improve California's educational governance system, we conducted mini-case studies of educational governance in two states, Texas and Florida. These states were chosen for several reasons. First, they have similar

demographics to California. All three are large states with extensive systems of public education, there are high numbers of low income and English Language Learner students, and each has a mix of urban, suburban, and rural schools. Second, Texas and Florida have been lauded for their achievement gains in recent years while California has lagged behind, leading us to believe that these states could offer important lessons for California. Finally, both states have a history of education reform, with governance changes of interest dating back 10-15 years offering an opportunity to assess their impact.

Data collected included in-person and telephone interviews and document analysis during spring 2007. Five to ten interviews were conducted per state; participants were purposively chosen from a range of state organizations and asked to describe selected reforms in terms of policy adoption, implementation, and outcomes as well as to assess the impact the change had on the governance system as a whole in terms of the five indicators of effective governance.

Findings are organized by state, with a brief comparison of each state's educational governance system compared with California's, a description of the selected reforms of interest, and views from stakeholders.

Findings

The interviews we conducted in Florida and Texas were targeted to elicit information about reforms we had read about and mentioned as potentially beneficial to California in an attempt to better understand how they came to be and their impacts to date. In each case, the reforms were chosen because California has toyed with a similar idea but not implemented it. In Florida, we focused on two reforms: a data warehouse in which students are given a unique identifier and tracked throughout their school careers and into the workforce, and a K-20 system of "seamless" education under the auspices of a single board. In terms of data, California passed legislation in 2002 which appropriated funds to create a data system called the California Longitudinal Pupil Achievement Data System, or CALPADS, but it has yet to come to

fruition (see Hansen, 2007 for an analysis on California's data systems). Similarly, articulation between K-12 and higher education has been talked about in the state, but as of yet remains elusive.

In Texas, we asked interviewees about power shifts away from the state board toward greater autonomy at the local level motivated by a desire for increased flexibility and enhanced accountability. In California, respondents in our earlier study (see Brewer and Smith, 2007a) noted that local districts have been tasked with greater accountability for outcomes in the absence of greater flexibility of inputs.

Florida: A Culture of Data and an Attempt at Creating a Seamless K-20 System

Florida's school districts are organized on county boundaries. In contrast to California's more than 1000 district, Florida has just sixty seven school districts, corresponding to their sixty-seven counties. Districts range in size from a thousand students in some districts to Miami-Dade with over 350,000 students. Until a constitutional amendment voted on by referendum in 1998, Florida's educational governance system was led by a Board of Education headed by an elected Commissioner of Education and included the commissioners of the other executive departments, for example the Commissioner of Agriculture and the Commissioner of Transportation. As one interviewee noted, a shortcoming to this arrangement was that "they did not know education issues." In addition to the Board not having education backgrounds, even the position of Commissioner of Education "became a political stepping stone for people who really weren't in love with education as an issue. And they were politicians who had served in multiple other positions who then went on to serve in multiple other positions as opposed to someone who grew up in the education world, knew education, knew the nuances and such," according to one interviewee.

Florida's current system, as well as some demographic information, is compared with California's in Table 2 below:

Table 2: Comparing California and Florida’s Education Systems

State	State Board of Education	Chief State School Officer	Intermediate Governing Body	# of Districts	# of Schools	# of Students	% Children in Poverty
CA	Appointed by Governor	Elected, Nonpartisan	Counties	1,053	9222	6,413,862	19%
FL	Appointed by Governor	Appointed by SBE	Counties	67	3427	2,587,628	18%

The shift from an elected to appointed Board of Education, according to one interviewee “changed the complexion of the executive branch here big time, because it basically meant that the governor for the first time in history was responsible for the biggest part of this budget, which is the education budget.” At the same time, the Commissioner, appointed by the Board, “became beholden only to the board and not to the governor,” according to another interviewee who noted how unusual such a change to the Constitution was, “given the fact that people don’t usually vote away their right to vote for something.”

In contrast to the common perception that California’s system is unresponsive and fragmented, one interviewee described Florida’s system as “a well-oiled machine” and a “very cohesive unit.” This was largely attributed to the shift from an elected to an appointed Commissioner and Board:

When you have an elected Commissioner ... politics gets involved. And there is so much time that needs to be spent raising money for a political campaign that the work that really needs to be done doesn’t get done.... [Also,] I can think of nothing worse for education reform than to have an adversarial relationship between the governor’s office and the Department of Education because then you’re spending all of your energy fighting instead of moving forward.

Another interviewee echoed this sentiment, saying, “There are just so many issues in the cabinet, the Governor and the Commissioner of Agriculture and the Attorney General just can’t address everything.... We need people that know [about education] and that that’s their primary function. So I do think it’s a much better situation.” Similarly, another interviewee noted, “They

had the Commissioner of Agriculture making decisions about education, and you know they're briefed [on the issues] ... but the appointed State Board of Education people, they read and eat and breathe education.... So to me I feel like they have a better grip, the appointed have a better grip than the elected."

Although the change from an elected to appointed Board and Commissioner was passed in 1998, it didn't take effect until 2002, during which time a "Transition Task Force" was created to Florida four years to "lay out what we would do with the law." Two of the reforms they decided on were to create a data warehouse for all of the data currently collected by the state and to create a seamless system of K-20 education. These two reforms are described in the rest of this section.

Data Warehouse

Florida has been described as having a well-developed "culture of data," with a history of data use dating back to the 1970s' creation of the Florida Information Resource Network (FIRN). As Hansen (2007) notes, the state "began developing common data definitions for education data as early as 1976 and was a pioneer in developing statewide databases when it began planning for its current information system in 1984" with unique student and staff identifiers (p. 21). As one interviewee described it, the current data warehouse takes data that is already collected by the Department of Education, formerly housed in a number of separate databases and "pulls pieces and parts of the program data into the data warehouse and is designed to make it easier to look across programs and to do longitudinal analysis."

There was some difference of opinion as to the origins of the data warehouse; while some thought it was a "grassroots" initiative, others stated that it had been a "top down" reform. For example, one interviewee described the creation of the data warehouse as "from the grass roots as far as a need. Being in the public school setting for a long time we seemed disconnected. And it appeared that there was data in abundance. And data's only as good as

those who can pull it and use it.” In contrast, another interviewee described the process of implementation as:

The governor and the Department of Education sort of leaned on everybody and we had the extraordinary advantage in the early days of having one board overseeing all of the education in Florida.... At that time when we implemented this we had three or four different databases and we just required everybody to come to the table from the community colleges, universities and K-12, and we have the overwhelming advantage that we have only sixty-seven school districts and we fund them, cps the money passes through Tallahassee. So we had the power of the purse in those days and we just made it happen.

A third view was that “districts were moving that way anyway before there was any formalized approach because we understood that it’s only by looking at what works and what works successfully in some scientific way that we’d be able to duplicate it.”

Whether or not the data system came from a top down mandate or a bottom up desire to use data to inform decision-making, the stakeholders we spoke to were unanimous in their praise for and admiration of Florida’s data system. One interviewee described the data system as integral to the system of accountability, saying, “It was pretty clear that you could never have expected an accountability system without the appropriate data. And so we invested highly both in political capital and in financial capital to create what I think is probably the envy of the world in terms of a unified database with one student identifier.” Another interviewee noted, “I think that most states covet the kind of information we have because we can follow students at the student level and know everything that happened to that student, what classes they took, what teachers they had ... all the way through. All the way from kindergarten to their Ph.D., we can follow them all the way.”

Another element of the data system that several interviewees praised is that in addition to tracking students throughout their school careers, Florida also tracks students after they leave school through a data collection system called the Florida Education and Training Placement Information Program (FETPIP). As one interviewee described it, “what it essentially does is follow up on students after they leave. So we know about employment, we know about

welfare, we know about prisons. And what is unique in Florida – other states do pieces of this – is that we do it for virtually every public and many private programs in Florida.”

Although Florida’s history of data collection and management is nearly 30 years old, interviewees revealed that implementation of this newest incarnation, the data warehouse, is not yet complete. As one respondent noted, “I would say that we achieved successes that are unique in certainly America if not the world. So in that sense, yeah we shot the lights out of it ... but reform is never ending.” Similarly, another interviewee noted, “We have a wealth of information that we can use. And having the data warehouse has made our job easier to use information. That doesn’t mean we don’t have things that we wish would be better and things that we think could be done differently and ways that it would be more easily accessible.”

Another interviewee noted that implementation has not yet filtered down to the school level:

Teachers talked about what it meant to them to be able to retrieve [the data] and to ... track students. And it just seemed the answer to everything. And it is. But it’s not in implementation as rapidly as we wanted or hoped for ... in implementing and making everybody at ease with retrieving data, because there’s so much staff development that has to be done. Knowing it’s there is one thing, getting to it and using it takes an education all in itself.

Some concerns were also expressed about reliability and completeness of the data, and inconsistencies in interpretation.

Reactions to the data warehouse have been mainly positive. One group that showed some initial resistance was the teachers’ union. As one interviewee noted, there was a fear from the union “that they’re spying on you, you know the unions were a little paranoid about that.” Another interviewee noted that the union leaders “traditionally do not like whatever comes out of DOE. They look for holes and gaps in it... but they have actually worked kind of closely with the development and implementation of the data here.” In addition to initial resistance from the union, interviewees noted that some principals worried the data warehouse would add to their workloads. As one interviewee noted, “Everyone is always a little resistant to any type of change, and there was a fear factor because educators are already so busy. Is this going to be

something else that we have to do?... [So we had to show them that] this is a tool to make it easier for you with the collection of data.” Similarly, another respondent noted, “Some of the very people that were resistant on the front end, now they are the ones that are really the users of the information because some busy, busy people that were afraid that this was ‘one more thing on my plate,’ they’re the ones that it’s making them manage their schools better.” This change in attitude came about once the utility of the warehouse became more evident. As one respondent described, “They can look at the body of data on their group of children and see a gap in fluency and realize that ... they can use that data to the great benefit of their students.” Another noted, “It helps principals in their staffing. They can see if someone’s excelling in a particular area who can then mentor someone else. They can see if someone’s struggling; maybe if I move them here? They can see if a group of children need someone who’s stronger in this particular area.”

The data warehouse was lauded as a useful tool for all levels of the education system, from enabling state administrators to hold schools accountable to districts being able to carry out interventions. As one interviewee noted, “You’ve got the kid early on and you can track him all of the way through and hopefully intervene when you see things coming that are not going to help the student but would actually work to his detriment.” Further, the data warehouse can be used as a tool to spread best practices. As one interviewee noted, “I can tell you what schools look like yours. I can tell you if you’re struggling with math scores for a classroom full of free and reduced lunch kids. I can tell you where there might be some places that are dealing with the same thing that might help you.”

However, those closest to the students, teachers, were perceived as not being fully aware of the changes to the data system. As one respondent noted, “Teachers would not know [about the data warehouse], and I’m not sure that I care that a teacher doesn’t know. We do work regularly with the district MIS [Management Information Systems] directors, we work with their equivalents at the community colleges.” One limiting factor is that the data warehouse

collects data from six surveys a year; hence, it is not “a real time system” that teachers can use to inform instruction. Also, some interviewees noted that districts vary in their use of data, partly based on district size. In small districts where the MIS director “wears ten other hats,” data use may not be as strong as in larger districts with multiple people devoted solely to the interpretation of data. As one interviewee described it, “When you talk about the data warehouse, yeah they’ve heard of it, but the perception right now is that’s pretty much a state operation.... Within district schools and in classrooms, that still is kind of unrealized, I think in the eyes of school districts.”

We asked interviewees to discuss the reforms in terms of the five indicators of effective governance presented earlier. For example, the long term use of data in Florida was seen to have a positive stabilizing effect to prevent the more common “reform de jour” approach seen in California. Instead, the data warehouse is used to look “at what’s working and what doesn’t work. We haven’t thrown out in the last eight or nine years any major program that I can think of.... We have refined and redone what’s in existence.” Another interviewee similarly described using the data warehouse as a continuous improvement tool, something to help “see where you need to go for growth.”

Increased accountability was a clear objective and result of the data warehouse. As one interviewee noted, “because we’ve been able to collect this kind of data we’ve been able to put together accountability measures and accountability initiatives I guess you’d call them, like school grades, which really I think preceded the whole AYP things.” Another interviewee referred to the data warehouse as a “weeding of the garden,” a way to “tell us what happened. Tell us what didn’t. Prove it and then let’s together make the changes in governance that we need to make to make it better.”

Interviewees were likewise in agreement that the data warehouse has allowed the system to be more responsive to the needs of different student groups. One respondent described how the warehouse has been used “to change policy”:

So there are a myriad of examples of the data enabling us to be responsive, more accountable and things like the retention data [using third grade results to determine whether students would be promoted to fourth grade] I would think that a lot of things we did were pretty innovative. Things we had to look at data wise we wouldn't have been able to look at before, or not the ways we look at it. And so I think that basically those are examples of how having these big systems in place helped us.

Another interviewee noted that at the state level, “we ask for the data. We want it teacher by teacher, principal by principal, school by school; what does it look like really? And when we looked at that we were able to come together and make recommendations that you've got to move these teachers out of this school. You've got to change this principal based on what we're seeing in the system.” In another example, a respondent described using data on the dropout rate in different districts to “say, ‘Oh look how well this county has done and look how they have improved’ and you know where you can go to find best practices”

Some felt that the data warehouse, while allowing the state to make strategic decisions regarding resource allocation and personnel placements, has actually decreased districts' and schools' ability to be innovative because the state uses its power of the purse to dictate the reforms it feels are necessary. One respondent reported being tied to the state's reform agenda because “if we need more money at a local district we cannot raise our millage to get it.” Although California districts have similar limitations on their ability to generate resources, the sense in Florida was that the state bases its decisions on evidence from the data warehouse, whereas in California reforms were perceived as being more ad hoc, politically expedient, or the effort of a term-limited legislator trying to leave a legacy.

The data warehouse has taken data from previously separate databases and combined it into one system with common labels and notation. This has increased the transparency of the governance system by making comparisons across the system easier. Interviewees noted that in addition to the system as a whole being more transparent under the data warehouse, it has affected teachers' perception of what they do in the classroom:

Teachers have had to come to terms with the idea that they're not empowered alone in that classroom, that what they do is really a matter of public record. I personally want it like that. We have too many times that we try to hide. If we're doing it right let it out. If we're not doing it right let it out and let everybody suggest and give input as to how to change it.... We're opening up avenues that have never been opened before. Teachers have felt like they were kings and queens in the classroom. And now we know what they're doing, we know when they're doing it, we know whether it's successful or not. That will ultimately be out in parent groups and they will also be able to [see what teachers are doing]. There's no way to ultimately, ultimately hide the data. It's there.

Similarly, another interviewee spoke about the way parents will eventually be able to use the data warehouse to make decisions about what schools to send their children to:

It will be the general public wanting to be more engaged when they have that information.... [As a parent] I would want to find out about the school that they're zoned for. I would want to find out about the teachers who are teaching. I would want to find out which college, if my middle school or high school student was really interested in accounting, which college produces accountants that are more likely to pass their CPA exam.... Data is very important for making informed consumer decisions.

Perhaps the greatest benefit of the data warehouse was seen in the efficiency with which data can now be analyzed and subsequently affect policy decisions. One interview noted that legislators "really appreciate the ability now to get data much more quickly.... We've been able to do data analysis of who are the most effective teachers in our public school system and where do they go to school?" Another respondent described the efficiency as enabling them to do more complex data analysis, saying, "by having the data we can answer some pretty complicated questions pretty quickly..... It means we can probably do more complex analysis than we could have done otherwise." Similarly, another interviewee reported that "having [the data systems] pulled together increases the likelihood of you being able to do things in a timely fashion and address those questions where you might have said, 'oh my God we can do it, but its going to take us a year and a half to do it.'" Another echoed that sentiment, saying, "It makes it a lot easier to access the information more quickly."

One noted benefit of the data system's simplicity is that it enables system wide usage, rather than relegating data interpretation to a select few. As one respondent reported, "One of

the goals to make it understandable, easy to obtain.... I've heard teachers many times say, 'I'd love to be able to do that. I don't have time to learn how to do it. Make it simple.' So there has been on the front end going in the desire to make it absolutely friendly; user friendly, teacher friendly." Similarly, the data warehouse has simplified the school improvement plans schools are required to submit each year. As one respondent noted, "It used to be such a complex task putting together a School Improvement Plan, but because you've got the data that you can use, it makes it a simpler task and your time is spent more efficiently."

Integrated K-20 System

While there was consensus among interviewees that Florida's data warehouse has been successful, the attempt at creating a "seamless" K-20 system was universally described as a failure. Prior to the reform, the 11 state universities, 28 community colleges and system of 67 school districts each had their own board: the Board of Regents made policy decisions at the university level, the State Board of Community Colleges for the community colleges, and the elected cabinet members who sat on the State Board of Education oversaw the entire system. One interviewee described each board's role as: "Each community college in the state of Florida does have its own governing board of trustees. So the State Board of Community Colleges was a coordinating board unlike the Board of Regents which was a governing board over universities." As another interviewee noted, while there were "individual school districts that had exceptional [K-20] relationships, particularly with their local community colleges, because they lived in the same community," without a requirement to institute articulation agreements, many did not.

The reform came about at the same time as the data warehouse, with the reorganization of the State Board of Education into an appointed rather than elected board. As one interviewee described:

When we were going through our governance changes and having a K-20 model, once we had a new State Board of Education that was going to be over everything from kindergarten to universities. The whole idea behind K-20 was to make sure all the systems were working together and that there was one governing board that would look at all of the issues of each system and be the arbitrator of what's the better policy.... And the concept was in my opinion, wonderful in that before you had public schools and your public school system and we had a whole big board over community colleges and we had a board of regents over universities. And so no one was paying attention whether the graduates of the colleges of education were being trained on things that our Florida public schools needed. And I'll give you one example. We had a court ordered agreement related to students [for whom] English was not their primary language, and the court ordered settlement, federal, said that any teacher that has at least one ESL student has to take three hundred hours of English language, you know ESL instruction-, and ... specifically language arts teachers, and it had all these different criteria. This federal agreement had been in existence for years and years and years but yet our universities never added that, even as an option in training our College of Ed students. So we were producing graduates within our state who couldn't immediately start working in our public school sites because either the two sides weren't talking or the one side didn't feel like it was necessary to see who the customer was potentially.... So there were a lot of concepts on how things could be better if there was one governing body that looked out at the needs of all to identify solutions.

Several interviewees pointed out that while the voters approved the amendment to the Constitution that changed the structure of the State Board of Education, it was the legislature that then interpreted that change to mean that this newly created board should oversee not just K-12 education but the community colleges and universities as well. As one interviewee noted, "this constitutional amendment that was passed by the voters just said there's a State Board of Education. It doesn't prescribe what that is and that's up to the legislature now to define what that body is over.... So Governor Bush and Speaker Thrasher made the case that we should have one state level governing board that oversaw everything. And now that the citizens have spoken and said we're not going to have a statewide elected Commissioner let's take advantage of the restructuring of the State Board of Ed and make it a K-20 body."

In the legislative session of 2001, the legislature passed "implementing language" creating a K-20 governance structure that would go into effect in January of 2003. As one interviewee noted, "To prepare for it though, we legislatively created an intermediate body called the Florida Board of Education.... And that entity were the first seven members [and] you had representatives of K-12, [a representative] who had been on the Board of Regents, the university governing board before. You had members from the

community college system. That first appointed board had representatives from all three systems including ... private college representation.”

However, before the transitional board completed its run, Senator Bob Graham “did a citizen’s petition that got on the ballot in November of 2000 that said, no we’re going to have now in the Constitution a Board of Governors over our universities. So while we were in statute putting in place a K-20 system there was a competing constitutional amendment, another one that would again carve off the universities...And so did we ever really, truly have a K-20 State Board?” One interviewee deemed that a K-20 Board had existed for “a couple of months.” Perhaps because it ended before it really started, there was a perception among interviewees that local schools were never really aware of the change in governance.

Interviewees reported that most stakeholders at the state level supported the idea of the single board. As one respondent said, the idea was that having a single board would help K-12 schools understand what their graduates should look like to enter the university system. “How else are you going to do it other than articulate and talk and work together to have the seamless system? It was a great idea.” Another noted, “While K-20 conceptually makes good sense, how it’s approached in terms of its implementation unfortunately, early on, was perceived as being pretty heavy handed. And that generally doesn’t work well in schools and classrooms.”

Despite the widespread support for the seamless system, interviewees consistently noted that the reaction to the single board was highly negative from one key group: the universities. According to one interviewee, “there was quite a bit of outcry and backlash from the university communities.” Another interviewee described how the K-20 system broke down before it really even got started:

The situation in Florida is a bit unique in that if someone doesn’t like something and the legislature doesn’t want to act on it, it can go on the ballot per constitutional amendment. And so first we had the K-20 system. The university people didn’t like it so they went on the ballot to have the university Board of Governor’s reinstated. And sometimes the way you phrase a ballot question determines what the outcome is going to be. So it’s unfortunate that we don’t

have as close as a relationship with the four year institutions, however I wouldn't characterize it as adversarial...And so maybe the idea of K-20 is so new that it's going to have to be done incrementally. My hope would be that in the future we could add the university system back in to truly have that K-20 system.

Since the reform was never implemented as intended, interviewees felt it was difficult to identify impacts. However, a few people did speak to the benefits they saw during early implementation, when people from the three systems who had never "been at the table" together were now holding joint-meetings. As one interviewee reported, "It was funny, when the one board was created we started recognizing each other in the elevator. You know we started having K-20 meetings and you had a representative [from each system] and it was like, wow I didn't know that, I didn't know that. So there was an enlightenment period of time...It lasted until the constitutional amendment, the second one...Probably about two years and it was wonderful. I mean we learned so much about each other."

Several interviewees regarded the local relationship between K-12 schools, community colleges and universities as stronger. As one interviewee noted, "it's died at the system level. I think it's alive at the local level. So I think that what happens is that in the area where you have a community college or several community colleges feeding into a university, they form their own articulation agreements, they work pretty closely together on curricula, and [that's now filtered] down into the high schools. So that's happening at the local level, but it's not a statewide thing." Another interviewee reported, "in some areas we didn't used to talk as much and I know in [our county] we now have better relationships with our community college and with our university because we are talking about what our needs are, like an elementary talks with the middle and the middle talks with the high and so it has brought us together, brought us to the table." Another interviewee made the analogy, "If you're not at the table, you're on the menu."

Interviewees consistently reported that the move to a single board for K-20 has not increased the stability of the system since it was reversed before it was implemented. Although

the universities now operate under their own board, as prior to the reform, they are required to submit their data to the data warehouse. This has meant some increase in accountability. As one interviewee put it, “people know whether your graduating, we can go back to that data. We know who’s coming out of your system. We know how they’re doing. We’re going to send them back if you don’t do it well.” However, it was generally acknowledged that system-wide accountability would be enhanced if the universities were still under the single State Board.

Similarly, innovation, flexibility and responsiveness were seen to have deteriorated when the decision to operate K-20 under a single board was reversed. In contrast, having the community colleges under a single board was touted by several interviewees as enhancing the responsiveness of that portion of the system. Transparency was described by one interviewee as “a vision that’s still there that has not been realized.” While it was not viewed as impossible under the dual board structure, interviewees pointed out that part of the reason behind the universities adopting their own board was a desire not to have to be open in all of their decisions.

Interviewees felt that one of the goals of creating a single board to oversee K-12, community colleges and universities was to enhance the simplicity and efficiency of the system, and pointed out that housing K-12 and community colleges together had produced that intended result. As one interviewee reported, “It has made things more simple, because it really has facilitated policy making. You’ve got the same board making decisions about K-12 and community colleges so that when it comes to those areas of overlap such as career preparation, it’s done with all parties at the table and that I think is huge.” However, a board member noted that now board members have to be versed not just in issues affecting K-12 schools but also community college issues, which “required a lot more investigative work on our part.”

Texas: A Shift to Local Control...And Back Again

In some ways the structure of the Texas public education system mirrors that of California in the several areas shown in

Table 3. There are several key characteristics of the governance structure in Texas: Texas has approximately 1,050 school districts that are organized in over 200 counties. The school districts are also serviced by 20 Regional Education Service Centers (Texas Education Agency, n.d.). The regional service centers provide a variety of instructional, operational, and capacity building services to the districts in their jurisdiction. The various regions, counties, districts, and local communities represent a diversity of backgrounds and values. As one interviewee notes:

You know we just have such differences. You know we have cowboys in the Panhandle and Cajuns in Beaumont and everybody south of San Antonio is largely Hispanic and there are places along the border where Spanish is the predominant language you know and they're all different and they have very different community styles and ways of making decisions and political structures in terms of who gets on the school board and what have you. I am personally very skeptical that you can find this really wonderful program that Austin is just kicking butt with, that has come up through the values in this community, in our local power structure, and then take that out to El Paso and say you guys must do this. They're not going to do it well.

The local control that typifies the Texas governance system, discussed below, stems from this underlying understanding of diversity and the challenge of centralized, standardized governance.

Table 3: Comparing California and Texas' Education Systems

State	State Board of Education (SBE)	Chief State School Officer	Intermediate Governing Body	# of Districts	# of Schools	# of Students	% of Children in Poverty
CA	Appointed by Governor	Elected, Nonpartisan ballot	Counties	1,053	9222	6,413,862	19%
TX	Elected	Nominated by SBE and appointed by Governor	Regions	1041	7843	4,331,751	23%

The Texas Education Agency (TEA) is lead by an appointed Commissioner of Education and an elected State Board of Education (SBE) comprised of 15 members. The rewriting of the Texas Education Code began with discussions of school finance in 1993 and a final overhaul of the Code in 1995. The new Code introduced a philosophical shift concerning the role of the TEA. As one interviewee explained, “Probably the most significant thing that happened was that the whole sort of monitoring and intervention function of the Texas Education Agency was significantly diminished, just in terms of their capacity to go into a school district and say, ‘you’re doing this wrong; you have to do it this way.’” Coinciding with the wider dedication to local control, the TEA shifted its activities away from closely mandating all aspects of school operations, to a broader organizing, assessment, and capacity building function. Another anecdote lucidly describes the TEA’s previous role:

My favorite example, and its sort of a joke but it's a good example; there was a time when TEA sent people out, you know this is a large state obviously, we have a thousand school districts; some of which have ten students; Houston is close to a quarter million. But TEA used to send a guy out in a car, part of whose equipment was a tape measurer, and he would make sure that the urinals were the right height. And that's a facetious example, but it gives you the idea of how long the list of things to check was.

The new education code changed the role of the TEA, provided school districts a set of focused accountability goals, and empowered local districts to achieve those goals in their own manner.

An emerging challenge of local control, which is discussed in more detail below, is the tendency to legislate increasing amounts of micro-management and requirements as time passes.

Local Control

The move towards clearer local control began with legislative discussions in 1993 focused on reforming the school finance system. During those discussions, legislators agreed to repeal and rewrite the Texas Education Code. As one interviewee explains, "... in Senate Bill 7, in 1993, they passed a statute that says the Education Code is repealed in 1995 unless we do something. So that set up an imperative to do something." The effort signified a focused attention to the educational governance system across political lines – with the House Education Committee chair a Democrat and the Senate Education Committee chair a Republican – with widespread support and synergy among legislators. The 1993 legislative session, and Senate Bill 7, was "what created both the basic structure that we still have as a school finance system and the basic structure that we still have as an accountability system." Highlighting the general feeling toward the 1995 overhaul of the education code, one interviewee noted:

That's the point where the policy idea of local control with standards based accountability ... was embedded in our Education Code and I think probably very effectively because they went through almost the whole thing with that philosophy in mind. They were looking to make those changes, and thus I think it was very comprehensive in the structure of our law, not just in the personalities of the members of the legislature, which might change two years later after another election. That's probably the big advantage we had.

In our interviews, two major points clearly came to the forefront. First, there were key policymakers and senior level advocates that succinctly and effectively framed the philosophy behind local control. As one interviewee noted, "And so what the legislators, and this was at the time the head of the Senate Education Committee, Senator Ratliff, really wanted [was] to overhaul the Education Code from stem to stern. He did a version himself on his own computer,

that's what the urban legend is on it.” Another key figure was then Commissioner of Education ,
Lionel Meno:

“I remember this, and what to me is really sort of the emotional turning point, he put this chart up, this was back before we had Power Point, in a committee hearing and he had two circles, one of which was embedded in the other and the smaller circle in the middle he called the 'what'. And he said this is your job legislators; you set us goals within the public education system, you tell us where you want us to get the kids. And then he had this much bigger circle called the 'how'. And he said leave this alone. This is what you've got to let school districts, with all of their diversity, work out locally. And so it wasn't so much that this was shoved down the throat of TEA or the school districts. This is a big change. We had been doing education reform for about ten years from the Perot Commission, back to the early 1980s. And that had been very much top down. You know, you're going to do this stuff at 10:00 am on Thursday. And this was a very big change...”

An underlying theory of action behind local control is to delineate the role of stakeholders. In the case of Texas, legislators agreed to set parameters and goals. However, they also agreed to provide decision-making authority to local districts to achieve those goals. While all of our interviewees lauded the simplicity, clarity, and hope of the 1995 Education Code they also noted the challenges of implementing such a system.

Standards-based accountability was a major theme for our interview participants. Local control was viewed as a governance philosophy that enhances the implementation of accountability. One interviewee noted, “One of the thoughts that they had at the time was that it's important to make schools accountable, more accountable...and as a trade off to provide flexibility and local control for school districts, to get themselves to the level of state standards.” In a system of local control, setting the parameters and standards of accountability were duties of the legislative and state bodies. One respondent explained that:

At the time we didn't really have very well articulated state standards to go with the tests that were in the accountability system. And part of the work in 1995 was to take the state a couple of steps forward in aligning what we expected teachers to do in the classroom, what we expected students to know and be able to do, and to have an accountability system that not only measured the students' ability to demonstrate their skills and abilities, but that had some lift to it over time that constantly put an appropriate level of pressure on to the school districts to continue to improve for all student subgroups.

As interviewees frequently noted, the fundamental idea behind local control was “that if we held schools accountable on the one hand for performance, we should give them potentially a certain amount of latitude as to how it is that they accomplish their performance. That was the spirit of the legislation.”

Our interviews in Texas covered a wide variety of stakeholder perspectives. We spoke with individuals directly involved in the state legislative session, school boards, teacher associations, and state education offices. Despite the diverse perspectives, there seemed to be a common synergy and support for the concept of accountability with local control. One interviewee surmised,

I would say that of all the stakeholders, school board members probably have had rolled with the changes better than the others have.... Teachers have the most vocal reaction to the reforms, which is they don't like the testing and they don't like the impact of the testing on their professional discretion. And they don't like the implicit acts of comparisons that are going on. You know you could argue that's a legitimate concern, [or] not a legitimate concern, but it's distinctly their reaction and I would say there's pretty uniform agreement among teachers about that. I would think superintendents, by and large, seem to have a very mixed view of everything that's happened. I think by and large they think that the accountability system has been effective in doing what it was originally intended to do, which was to highlight areas where there were instructional difficulties in a district and then force resources to be directed at those. And I think a lot of superintendents probably would say this was necessary to get the community to go along with the kinds of things that we knew as professional educators needed to happen. I would say school board members probably initially greeted the accountability system negatively, but very, very quickly realized that there were great benefits to this system to them and to their communities, and to their ability to govern effectively because it gave them.

Interviewees also agreed that local control has been gradually whittled away in the last decade. Interviewees disagreed on the extent of the change as some thought it was minor while others felt increasing state control was more drastic. One interviewee highlighted the evolution of stakeholder reactions, moving from initial support of local control to feelings that the system has been tinkered with:

The Code was written with that philosophy [of local control in exchange for accountability] in mind. Now that's, you know twelve years ago, six legislative sessions ago, and what you get is regulatory creep. And ever since then we've had people come to the legislature with this idea or that, about general mandates and things that the

school districts must do. And I would say that we've had more than regulatory creep in the state; we've had a pretty dramatic shift from that philosophy that was first articulated in '93 and then memorialized in '95, and then forgotten since.

The term *legislative creep* arose frequently to describe the tendency for state level stakeholders to impose increasing numbers of mandates on districts. The mechanism used to exert state control that was most cited was school finance, driving how districts should allocate funds, which have programmatic and educational impacts. As one interviewee stated:

House Bill 1 in the 2006 special session went far...in terms of reasserting state control over local school districts. And that's down to, the state is now charged with giving every school district budget targets. Here's the percentage you can spend on each category in your district. If you exceed that you have to do it by vote resolution at a board meeting and say why; give the commissioner the authority to send financial masters or other people into districts to basically take over operations short of the state taking over operation of the school district, is moving every school district in the state towards a uniform software accounting package so that the state can look at comparable data...probably the most dramatic shift in power we've seen in any of those sort of ten year cycles.

Local control necessarily creates an array of different strategies, reform focus, and programs. State-level stakeholders, such as the TEA and legislators, cannot know everything about every locality due to the decentralization. Having local control requires a sustained dedication to examining decision-making boundaries and taking care not to impose on local decision-making with broad mandates. Second, as legislative turnover occurs, new ideas emerge, and various public pressures develop, there is an almost inevitable tendency to impose mandates on local stakeholders. One interviewee highlighted how legislative turnover has confused the original intent of local control:

The thing that's frustrating to me, again a personal opinion, is in 1995 the legislature really had a policy discussion and said we're going to adopt this way of doing things. We're going to rewrite our Education Code. Political pendulums go back and forth, and we've had a lot of turnover in the legislature since then and certainly since 2001-2003, you know the pendulum has swung back more towards state control. But there hasn't been this sort of bright shining moment where everybody gets together in the room and says, ok we're going to it different from now on, you know this is what we believe today. And so you get these very strange discussions about, we believe in local control and we're making people do this.

Texas' reformed system of accountability with local control helped reinforce governance stability and accountability in a philosophical sense by providing an overarching framework. Stakeholders from all perspectives understood and supported the goals of the 1995 overhaul of the Education Code. Stakeholders understood that the role of the state was to set policy parameters, goals, and to assist districts. Interviewees also understood that decision-making authority to achieve goals lay with school districts. Nevertheless, interviewees also cited the development of high-stakes testing as a challenge to local control. The accountability system has forced a myriad of tests and reporting requirements on school districts, which have made their operations more complex and confusing over time. In addition, controversy over school finance – specifically pressure to mandate how districts should spend their money – has infringed on the philosophy of local control.

One hope of local control is to promote innovation and flexibility. Interviewees agreed that this was a feature of Texas' governance system. However, a decentralized system also hindered the knowledge of various practices across the state. Interview participants could not point to wide-scale innovation, but also felt confident that local districts were making decisions that made sense for their communities. There also seemed to be a great level of governance transparency in Texas. While districts had local authority, there was a strong system of accountability and reporting of results. Schools and districts are rated on measures of success, and those results are publicized to the general public. Texas also has a state data system that follows individual students throughout K-12.

Texas' system of accountability and local control rated highly in simplicity and efficiency. All interviewed stakeholders supported the clear boundaries and duties of various governance levels. Policymakers were charged with creating goals and standards. The TEA was expected to provide assessment, capacity building, and implement the policy goals. Local districts and schools were expected to do whatever they saw fit, to achieve a small set of focused, accountability standards.

Conclusions and Implications for California

In this report, we have used mini case studies of three educational governance reforms in two states, Texas and Florida, to try to derive implications for California. Although we did not conduct an in depth examination of the development and operation of the educational governance structure in the way we had done earlier for California, we learned a great deal from our series of targeted interviews. Two of the reform strategies, the development of a data system (Florida) and a clear system of tough accountability (Texas) coupled with enhanced local control, were widely perceived as having a positive impact on the states' schools, enhancing the stability, accountability, simplicity, transparency and flexibility of educational governance. In the first case, the culture of collecting and using data was well ingrained and affected many aspects of educational decisionmaking at all levels. In the second case, there had been some push back as the legislature encroached on local control. The third, creating a seamless K-20 system, was believed to be conceptually beneficial but implementation roadblocks effectively scuttled the adoption of the original vision for the reform. This point about the challenges of implementing any educational reform apply as much to governance as to classroom or instructional reforms.

Several conclusions seem warranted. First, our interviewees stressed that in order for governance changes of the magnitude implemented by Florida or Texas, input from all stakeholders is required to minimize opposition to the proposed changes. In the Florida case,

according to one interviewee, “we just got everybody, all twenty-seven groups that we thought had a stake in the outcome, come around the table, came to an agreement on what we were going to propose. And when we went to the legislature in 2002 with it, which could have been extraordinarily controversial, there was nobody on the other side of the argument, because we had the agents and everybody at the table.”

Second, it is a necessary if not sufficient condition for success, that major governance reforms have clear goals. This is a striking feature of all three of the changes we considered. They were generally simple to understand, with a clear “theory of action” or rationale. They are widely articulated and, even if they do not have unanimous initial support, build a common understanding and appreciation over time. The failure of the K-20 seamless system idea was in part due to the failure of key constituents to buy into the reform idea. In the Texas case, it is striking to us how much fundamental philosophical agreement there was on the parameters of a governance structure based on standards driven accountability coupled with local control. No such clear cut vision consensus emerged from our California stakeholder interviews.

In the case of a data system, perhaps the least controversial and potentially positive change, interviewees stressed the need to have a clear purpose. “The purpose of this system isn’t to respond to the latest set of mandates coming out of the capitol or the latest set of things with NCLB. That would be really wrong-headed. You’ve got to look at who it is we’re educating and what are the important things we know about who’s being educated that can help inform education policy, help inform evaluation, help inform policy development and build things into the systems even though you may not have a clear idea about how you’re going to use them...” Another interviewee similarly stressed that a data system should be set up with the idea that “someone’s going to use that data, it’s pulled together for an intended purpose.”

Third, a governance change, intervention, or shift requires extensive capacity building for the stakeholders involved. In Florida, interviewees stressed that a data system for a state as large as Florida (and California) needs to be adequately staffed with the “right people”. As one

interviewee noted, “An important factor if you’re pulling a data warehouse together is making sure that the people that are running it, that there’s a sufficient number of people and that they have the expertise to do what you need to do”. Capacity in the case of Florida’s data warehouse includes a number of people, the expertise and skills of key personnel, and finally a commitment to the fundamental mission of the governance philosophy. Another interviewee noted that, “You’ve got to have the right people. You’ve got to have those who are in it because they want to make the difference. This Department of Education, I would rank it against any in the nation because we consistently say, ‘you really care don’t you? You’re really into this.’ When they describe what the data’s doing you’re talking to someone who’s excited because of what it means not because they were able to get it as a job, but it made a difference”. A similar sentiment was echoed by another interviewee, who noted, “we’ve had tremendous brains at the steering wheel of [the data warehouse].... These people, most of whom have been in the world of education, they want it to work because they’ve been teachers or they’ve been through the school system. It’s not like they’re cold, computerized robots. They have an interest in what actually happens to kids and that’s crucial. That’s crucial because they’ve made it meaningful.”

In a system of standards-based accountability with local control, such as in Texas, capacity becomes vital to the success of the governance system. Again, having the right people in key positions – from legislation to school boards to superintendents – determines the success of the system. Expertise, knowledge, and skills are also widely cited as great needs in Texas. In our interviews, school board stakeholders pointed to extensive training and information sharing amongst board members as a key component of better governance. School board members need to be continually reminded of their roles, duties, and the boundaries of their duties in a system of local control. A decentralized system also requires mechanisms for stakeholders in different communities to share knowledge and strategies. In another example, interviewees noted that legislators also need to 1) understand the unique challenges of local stakeholders as they implement policy and 2) continually understand the decision-making

boundaries of the legislative body in a system of local control. Finally, both Florida and Texas rate strongly on a third component of capacity – commitment to mission. In both the case of Florida’s data-warehouse and Texas’ system of local control, stakeholders had a clear understanding of the goal. Even in the face of challenges, and short-term failures, stakeholders could return to the fundamental philosophies of data-use and local control to guide their future action.

While the educational governance systems in Florida and Texas do of course have important differences to that in California (e.g., a stronger role played by the governor and a lesser role by unions), lessons learned from these two case studies can help inform California policymakers when considering similar reforms.

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