



Governance

State Boards/Chiefs/Agencies

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Examples of Major Changes in State Boards of Education

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Education governance structures differ from state to state in ways that directly affect how state education policy leaders can act or interact. Whether one structure is better than another is a question for which research has no clear answer. Some very general structural relationships are common to all the states. Fiscal responsibility for education rests with the legislature and the governor. In almost all states, the governor develops an education budget and presents it to the legislature. The legislature in turn has formal responsibility for reviewing this budget and passing it in some form. State boards of education and state departments of education must then administer the budget. State boards also establish requirements to guide the administration of other policies that have been enacted by the legislature and the governor, and state departments administer these policies.

The real question is, whether various segments of governance structures will provide the leadership in education that is necessary for states and districts to adjust to changes. Education is a complex policy arena; there are few right answers, many wrong ones and many powerful interests that take sides on virtually any issue. There are few political rewards, even for the most astute, and many potential pitfalls.

As early as 1983, an ECS Issuegram suggested that there are, however, some strategies that state officials might consider to increase leadership in education:

- Increase the incentives or decrease the disincentives for governors and legislators to assume leadership in education
- Reorganize state departments of education so they improve their abilities to provide technical assistance, especially in the area of school improvement
- Increase state board access to independent information and policy analysis
- Reduce the time state board members spend dealing with administrative detail, thereby increasing their opportunities to address policy issues
- Increase the salaries and authority of chief state school officers so highly qualified people will be attracted to these top state education leadership positions.

In the past 20 years, various governors have taken a stronger role in education by initiating legal changes that, for example, give the sitting governor more control over state board or chief state school officer appointments. In the 1990s a number of state departments were reorganized in order to provide more technical assistance. Associations such as the National Association for State Boards of Education (NASBE) have worked with state board members to improve their knowledge and skills in dealing with policy issues instead of administrative detail. A number of legislatures have taken action to realign major responsibilities of state boards or state departments.

What follows here are examples of relatively recent state initiatives to address the powers and authority of state boards of education. This is not a comprehensive listing of state actions, but is provided to draw attention to structural changes that impact leadership in the states.

Interesting facts . . .

- **Wisconsin** and **Minnesota** have **no state board of education**
- In **New Mexico** the state board of education is **advisory only**
- Idaho and Florida have “**K-20**” state boards of education
- States where some state board of education powers have been **realigned and/or transferred to other agency**: **Washington, Arkansas, Illinois** and **Delaware**.

States with No State Board of Education or “Advisory Only” State Board of Education

State	Date of change	Timeline	Constitutional/Statutory Provision Affected
Wisconsin	N/A	Wisconsin has never had a state board of education. According to the Wisconsin state constitution, the responsibility of overseeing public education in the state is given to the state superintendent. The superintendent is elected by the voters, and holds a four-year term.	<u>WIS. CONST. art. X, § 1;</u> <u>WIS. STAT. § 115.28</u> to <u>WIS. STAT. § 115.48</u>
Minnesota	1998	The Minnesota state legislature abolished the state board of education. The duties of the board were transferred to the state education agency, the Department of Children, Families and Learning. (S.F. 2059, H.F. 3458)	<u>MINN. STAT. § 15.014</u>
	2003	The Department of Children, Families, and Learning was renamed the Department of Education. (S.F. 296)	<u>MINN. STAT. § 15.01</u>
New Mexico	April 2003	The state legislature proposed an amendment to the state constitution that would abolish the state board of education and replace it with the Public Education Department, headed by a Secretary of Public Education, who would be appointed by the governor. (S.B. 911)	<u>N.M. STAT. ANN. § 22-1-2;</u> <u>N.M. CONST. art. XII, § 6</u>
	September 2003	The constitutional amendment was approved by the voters. (S.J.R.2)	<u>N.M. CONST. art. XII, § 6</u>
	2004	By statute, the Public Education Department was created. In the statute, the state retains the state board of education, but with a new name, the Public Education Commission. The commission serves as an advisory panel to the secretary. (H.B. 96)	<u>N.M. STAT. ANN. § 9-24-1</u> to <u>N.M. STAT. ANN. § 9-24-12</u>

States with "K-20" State Boards of Education

State	Date of Change	Timeline	Constitutional/Statutory Provision Affected
Florida	2002	Under special session, the Florida legislature unified its K-12 and higher education state boards into one governing authority in order to achieve "a seamless academic educational system that fosters an integrated continuum of kindergarten through graduate school education for Florida's students." Under this law, the state board of education and the Commissioner of Education oversee the entire K-20 education system. (S.B. 20)	<u>FLA. STAT. ch. 1000-1013</u>
Idaho	1999	The Idaho legislature streamlined its state governance structure by eliminating councils that had governed state higher education institutions. Under the new law, the existing state board of education oversees the entire system. (H.B. 29)	<u>IDAHO CODE § 33-101</u>

States Realigning Major Powers and/or Duties of State Boards of Education

State	Date of Change	Timeline	Constitutional/Statutory Provision Affected
Delaware	1997	The "Department of Education Act of 1997" renamed the Department of Public Instruction to the Department of Education (DOE) and entrusted the leadership of the DOE to the Secretary of Education, who is appointed by the governor. In general, the Secretary manages the finances of the DOE, the specific programs run by the DOE, and has the freedom to suggest policy, budget, and legislative ideas. The State Board of Education continues to exist and has a strong role in important policy issues. (H.B. 81)	<u>DEL. CODE ANN. tit. 14, § 101</u> to <u>DEL. CODE ANN. tit. § 106</u>
Illinois	2002	Power transferred from the state board of education to the Auditor General to cause audits and adopt rules and regulations in regards to all financial statements in the control of the regional superintendents. (S.B. 1534)	<u>105 ILL. COMP. STAT. 5/2-3.17a;</u> <u>105 ILL. COMP. STAT. 5/3-6.1</u>
Arkansas	2005	Direct operational control of the Division of Public School Accountability was transferred from the state board of education to the Commissioner of Education, who is appointed by the governor. The Division of Public School Accountability administers all monitoring and compliance activities dealing with academic and fiscal accountability for each school or school district and reports academic progress. (Effective July 1, 2007) (H.B. 2530)	<u>ARK. CODE ANN. § 6-15-102</u>

State	Date of Change	Timeline	Constitutional/Statutory Provision Affected
Washington	2006	The legislature reconstituted the state board of education in order to refocus its mission and to create an effective governance system to achieve the goals the legislature has defined. The powers, duties and membership were revised, and the Academic Achievement and Accountability Commission was eliminated. This commission's primary purpose had been to provide oversight of the state's educational accountability system. (S.B. 5732)	WASH. REV. CODE § 28A.305.901; WASH. REV. CODE § 28A.305.130
	2006	The legislature transferred authority for educator preparation and certification from the state board of education to the Professional Educator Standards Board. (H.B. 3098)	WASH. REV. CODE § 28A.410.210

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