

Your Question:

Across the states, which governors, K-12 boards and postsecondary boards have the authority to appoint education leaders?

Our Response:

A primary and influential responsibility of governors, K-12 boards and postsecondary boards is the authority to appoint education leaders to important decision-making roles. In several states, governors appoint chief state school officers (chiefs), postsecondary executive directors — often referred to as state higher education executive officers (SHEEOs) — and members of state boards of education and postsecondary coordinating/governing boards. Typically, the boards appoint the chiefs and postsecondary executive directors/SHEEOs. In turn, these education leaders work with governors, legislators and other stakeholders to develop and implement goals, strategic plans, policies, programs and budgets that address a state’s education and workforce priorities. This response provides a high-level overview of the appointing authority granted to governors as well as K-12 and postsecondary board members. While most states fall under the general categories included in this summary, there are variations across the states because of the complex nature of education governance.

K-12 Education

For more information about the following sections, including state policy citations, please see: [50-State Comparison: K-12 Governance](#) and [Education Governance Dashboard](#).



In most states, the governor’s appointments are confirmed by – or with the advice and consent of – the senate or legislature, or made directly by the governor. However, there are exceptions to these processes. In **Connecticut**, **Nevada** and **Vermont**, the governor appoints the chief after consultation with or based on recommendations by the state board of education. **New Hampshire**’s governor appoints the chief after consultation with the state board and confirmation by the Executive Council. In **Virginia**, the governor appoints the chief after consultation with the state board and confirmation by the legislature.



In general, boards of education directly appoint chiefs, although some states have variations on this approach. **Alaska's** and **Arkansas's** state boards appoint the chief with the governor's approval. In **Massachusetts**, the state board submits a candidate for the chief state school officer to the secretary of education for approval. The **Mississippi** State Board of Education appoints the chief with the advice and consent of the state senate.

Early Learning Governance

Governors appoint the executive directors in seven of the states with separate entities that oversee several early care and education programs and services. These states include **Alabama, Colorado, Connecticut, Georgia, New Mexico, Oregon** and **Washington**. In **Massachusetts**, the secretary of education appoints the commissioner for the Department of Early Education and Care from a list of candidates recommended by its board.

Note: In 2021, Oregon enacted [H.B.3073](#) that creates the Oregon Department of Early Learning and Care, which will replace the Early Learning Division within the state's department of education. The directors of these entities are appointed by the governor.

For more information, including state policy citations, please see: [Early Care and Education Governance](#) and [50-State Comparison: Early Care and Education Governance](#).

Chief State School Officer: Other Appointment Processes

The **District of Columbia's** mayor appoints the chief with the advice and consent of the city council. In **Oregon**, the governor serves as the chief and appoints a director of the education department; the director is confirmed by the senate. **Rhode Island's** Council on Elementary and Secondary Education appoints the chief with the state board of education's advice and consent.

Separate Secretary of Education

In **Massachusetts, Oklahoma** and **Virginia**, the governor appoints a separate secretary of education who is part of the executive cabinet. The **District of Columbia's** mayor appoints a deputy mayor for education with the advice and consent of the city council.

Elected Chief State School Officers and State Boards of Education

Voters elect the chief in the following 12 states: **Arizona, California, Georgia, Idaho, Montana, North Carolina, North Dakota, Oklahoma, South Carolina, Washington, Wisconsin** and **Wyoming**.

Voters elect all state board members in the following seven states and the **District of Columbia**: **Alabama, Colorado, District of Columbia, Kansas, Michigan, Nebraska, Texas** and **Utah**.

State Board of Education: Governor Appoints

35
STATES

AK, AZ, AR, CA, CT, DE, FL, GA, HI, ID, IL, IN, IA, KY, ME, MD, MA, MS, MO, MT, NV, NH, NJ, NC, OK, OR, PA, RI, SD, TN, VT, VA, WA, WV and WY.

In most states, the governor's appointments are confirmed by — or with the advice and consent of — the senate or legislature, or made directly by the governor. However, there are several exceptions to these common approaches.

In **Indiana**, the speaker of the house and senate president each appoint a member in addition to the governor's appointments. In Mississippi, the lieutenant governor and speaker of the house each appoint two board members. **Maryland's** governor also appoints a teacher who received the most votes by the state's teachers, the PTA submits candidates for the parent member and the Maryland Association of Student Councils submits names for the student member. Nevada's governor appoints three board members, two of whom are nominated by legislative leaders, and four members whom are nominated by education associations and the higher education board. In addition, four members are elected by voters from congressional districts. In **Washington**, the governor appoints seven members with confirmation by the senate. Public school board directors elect five members, private school board directors elect one member and the Association of Washington Student Leaders selects two student members. In some states, ex-officio board members serve based on their professional role, for example, the state superintendent or education committee chairs.

State Board of Education: Other Appointment Processes

In **Louisiana**, eight board members are elected by voters and the governor appoints three members with confirmation by the senate. **New York's** Legislature elects the state board members. In **Ohio**, voters elect 11 state board members, and the governor appoints eight members with the advice and consent of the senate. **South Carolina's** Legislature appoints 16 board members, and the governor appoints one member.

Not Applicable: **New Mexico's** Commission on Public Education has limited authority and its members are elected. In **North Dakota**, the governor appoints the state board members from names submitted by education organizations; however, the board has limited responsibilities. **Minnesota** and **Wisconsin** do not have state boards of education.

Governor Appoints Both Chief State School Officer and State Board of Education

Thirteen states grant governors appointing authority of both chiefs and state boards of education. Those states are: Connecticut, Delaware, Indiana, Iowa, Maine, Nevada, New Hampshire, New Jersey, Pennsylvania, South Dakota, Tennessee, Vermont and Virginia.

Postsecondary Education

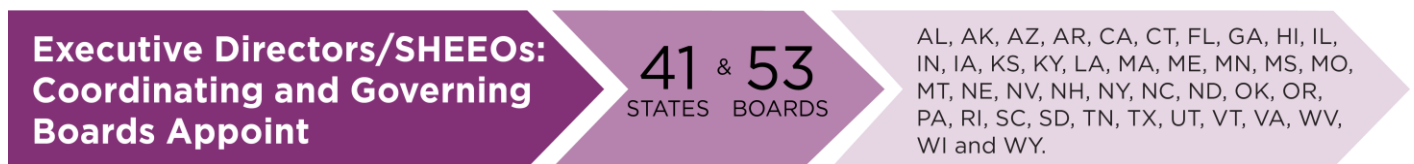
Some states have more than one executive director/SHEEO that may lead a statewide postsecondary agency, a division within a K-12 education department or major postsecondary system. For example, **New Hampshire's** governance system includes executive directors for a postsecondary division in the education department and the two postsecondary systems. **California, Georgia and Maine** are among the states with more than one major postsecondary system that are led by executive directors.

The information below related to postsecondary boards is based on an Education Commission of the States' [analysis](#) of 60 statewide and major postsecondary systemwide coordinating and governing boards.

For more information about the following sections, including state policy citations, please see: [50-State Comparison: State Postsecondary Governance Structures](#).



Higher education leaders in these states oversee coordinating agencies, administrative agencies or divisions within K-12 education departments. In **Colorado, Connecticut, Maryland, Minnesota, New Jersey and Ohio**, the governor appoints the executive directors with confirmation by the senate or legislature. In New Hampshire, the governor appoints a director of the division of higher education within the K-12 department after consultation with the chief, higher education commission and state board of education. **Pennsylvania's** governor directly appoints the executive director of a division in the education department and **Washington's** governor appoints the executive director based on the coordinating board's recommendation.



Coordinating and governing boards in most states directly appoint the executive directors for postsecondary agencies, department divisions and system offices, although there are variations to this approach. In **Arkansas**, the coordinating board's appointment of the executive director is approved by the governor. **Massachusetts'** coordinating board appoints the executive director with the approval of the secretary of education, who is appointed by the governor. **Utah's** governing board appoints the executive director with approval of the governor and senate.

Executive Directors/SHEEOs: Other Appointment Processes

Delaware's Office of Higher Education is a division within the K-12 department of education and the executive director is hired by an agency committee. Chiefs in the **District of Columbia, Florida and Iowa** appoint executive directors of postsecondary divisions within the department of education. **Idaho's** State Board of Education appoints the executive director of the board, who typically engages in postsecondary issues. In **New York**, the board of

education appoints the deputy commissioner of higher education within the education department.

Note: Florida, Iowa and New York also have at least one major postsecondary system and the executive directors are appointed by the governing boards — see previous section.

Statewide and Major Systemwide Boards: Governor Appoints

44 STATES & 55 BOARDS

AL, AK, AZ, AR, CA, CO, CT, FL, GA, HI, IL, ID, IN, IA, KS, KY, LA, ME, MD, MA, MN, MS, MO, MT, NE, NH, NY, NC, ND, OK, OR, PA, RI, SC, SD, TN, TX, UT, VT, VA, WA, WV, WI and WY.

In most states, the governor’s appointments are made directly or confirmed by — or with the advice and consent of — the senate or legislature. However, there are exceptions to this process. **Hawaii’s** governor selects board members from names provided by the University of Hawaii’s Board of Regents’ Candidate Advisory Council and submits the list to the senate for confirmation. In New Hampshire, the governor’s appointments for the university system are made with the advice and consent of the senate, while the community college system appointments are confirmed by the Executive Council. Legislatures also appoint some members of boards in a few of these states. In some states, ex-officio board members serve based on their professional role, for example, the state superintendent or college presidents.

Note: In Minnesota, New York and North Carolina, members of at least one other board are selected through a different process — see the next section.

Statewide and Major Systemwide Boards: Other Appointing Processes

In Minnesota and **North Carolina**, the legislature appoints members of one of the major postsecondary system governing boards. New York’s Legislature elects the state board, which has general supervision and policy setting responsibilities for postsecondary education. In **Nevada**, the voters elect the members of the state’s higher education board.

Not Applicable: Delaware, the District of Columbia, **Michigan** and New Jersey do not have a statewide or major postsecondary systemwide coordinating board/agency or governing board. In **New Mexico** and Ohio, the statewide coordinating agency is not overseen by a board.