

Chapter 1

Setting the Stage

Where State Power and Education Meet

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States—their governors, legislatures, and state education agencies (SEAs)—play a pivotal role in education policymaking. The state level of government, constitutionally bound to establish education for all children in their jurisdiction, determines the funding, operation, and structure of school districts, and the curriculum, staffing, and programs in schools. The policies of the state determine the nature of the educational experiences for the state’s students.

State education policymaking used to be a good deal simpler than it is today. Throughout much of U.S. history, education policy was shaped by a small handful of key education professionals whose expertise was generally unquestioned. Conflict was largely limited to disagreements between school board associations, school administrators, and teachers’ unions. State lawmakers, overworked and understaffed, did little except appropriate funding for schools.

America’s long-standing, deeply embedded fear of large government, coupled with high levels of local funding, likely forged a preference for local control of schools (Theobald & Bardzell, 2000). Although contemporary scholars do not cast local control strictly as a matter of “those who pay the piper call the tune,” financial considerations are often cited as a major force explaining the preference for local control (Fuhrman & Elmore, 1990; Theobald & Bardzell, 2000). Theobald and Bardzell (2000) note that “until the twentieth century, local sources provided all or nearly all of school revenues . . . in such an environment, it is easy to see how a strong tradition of local control of schools would naturally develop” (p. 4).

Still, even as the state portion of school revenues increased substantially over the last century (by the 1990s, the average state contributed slightly more than 50 percent of all education funds), local control remained strong as long as local schools adequately carried out their responsibilities (Fuhrman & Elmore,

1990). In an attempt to ensure that local schools are adequately educating students, various accountability measures have been enacted in recent years.

As a result, state and national policymakers are increasingly important actors in shaping the nature, scope, and direction of education initiatives (Mazzone, 1995). Educational reforms, such as higher standards, testing, and accountability, seek to improve student achievement through tightened centralized control and more effective command structures. Within the past forty years, local control over education has slowly eroded, as the federal and state governments exert ever-greater control over the educational process (Tyack, 1990; Wirt & Kirst, 1997).

As this book will show, the authority of the state in education is not static. Since the passage of the No Child Left Behind Act (NCLB) in 2001, states have assumed many of the responsibilities and much of the decision-making once reserved for local districts and communities. However, the states were ready to assume this newfound power, as the role of the state in education has increased since the 1960s.

As a prerequisite for increased state activism, state legislative capacity has increased dramatically in the last four decades, as legislatures have established numerous oversight committees, installed sophisticated data processing equipment, and substantially enlarged their staffs. Passage of the Elementary and Secondary Education Act (ESEA) of 1965 energized state education departments and initiated a much larger role for the state in shaping local education policies. Almost overnight, state education departments were transformed from sleepy little offices into large, active bodies with oversight capability and significant control over local education initiatives.

Elementary and Secondary Education Act (ESEA) funds helped to build the capacity of state education agencies across the nation. This “ramping up” stage was followed by a focus on equity. State education policymaking began to change in the 1970s and 1980s as state legislatures were forced by a variety of outside actors and institutions to confront a host of educational challenges, including inequities in school finance, the education of students with special needs, and the push for higher standards, more intensive assessment, and greater accountability.

By the 1970s, reformers began to argue that states were not meeting their constitutional responsibility to educate all children equitably because of the vast disparities in per pupil school expenditures. Constitutional challenges to school funding formulas in the 1970s and 1980s (*Rodriguez v. San Antonio Independent School District*, 1973) resulted in more centralized control over school funding and schools. Many states engaged in school finance reform and increased state aid and regulation of local districts, and, after the publication of *A Nation at Risk* (1983), most states engaged in major school reform initiatives that focused state attention on curriculum, standards, and quality. Spurred in part by school

finance litigation, as well as a perceived decline in the quality of schooling, state legislatures and, more recently, governors, have become much more active in crafting education policy.

Since the 1980s, there has been a shift away from local school boards toward state-level decision-making institutions. In virtually every state, legislation has been passed in an effort to enhance knowledge about school performance. The current reform movement follows decades of an expanding state role, which grew along with the enrollment booms of the 1950s, and 1960s (Fuhrman & Elmore, 1990). Fuhrman and Elmore (1990) explain that “though characterized by shifting themes—from local district consolidation to school finance and equity to testing and accountability—state leadership steadily escalated, with each new policy adding to rather than replacing previous laws, regulations, and structures” (p. 84). A unique feature of contemporary reforms is that many state policy objectives are “expressed as mandates or rules, as opposed to efforts to build local capacity, and thus they reinforce the image of an increasingly obtrusive state presence” (Fuhrman & Elmore, 1990, p. 85). Statewide testing programs and tightened teacher certification requirements are prime examples of the increased state presence in education. Nevertheless, most states lack the capacity to assure compliance with reform policies (Fuhrman & Elmore, 1990), and these externally initiated reforms are highly variable in the extent to which they are implemented by local schools.

In the 1980s and 1990s, state involvement increased with federal deregulation, block grants, and various school reform imperatives. Power and policy-making have gradually returned to the states and the result has been an unprecedented growth of state influence over local education.

In the 1990s, National Assessment of Educational Progress (NAEP) tests were administered to students in a voluntary sample of states. The results highlighted differences between states and further fueled the reform movement. Although disagreements remain among educational researchers and policy analysts about the consequences of shifting educational decision-making and curriculum policy away from local schools, by 1998, forty states had statewide curriculum standards, forty-eight states assessed student learning, and thirty-six published annual “report cards” on individual schools (Grissmer & Flanagan, 2001).

In some states, results from school-level report cards have spurred school choice movements. A growing number of states enacted charter school laws and now voucher policies that allow students to transfer out of failing schools with public funds following the student. Since the passage of NCLB in 2001, virtually every state has engaged in systemic reform. These reforms often come at the expense of local control, and they strengthen state authority despite countervailing rhetorics of local control, privatization, choice, and school-based management (James, 1991).

The passage of the NCLB would not have been possible without the prior ESEA buildup. NCLB is not totally new (although it has new elements), but should be seen as a reauthorization of ESEA as well as new policies. Many states were already setting some standards, working on curriculum, whole school reform, testing, and choice; so NCLB is both a continuation of the old and a taste of the new. It builds on but also goes further and beyond what was. The new part is the universality of this law: forcing all states to do what only some were doing—and then some. NCLB is not a “flash in the pan” reform; rather it sits astride almost forty years (1965–2005) of rising state power and potential.

Today, states are the primary policymakers in K–12 education in that they determine the curriculum, teacher licensure or certification requirements, and other important policies such as class size, graduation requirements, assessment of student performance, and school accountability measures. The case study chapters in this book trace the development of increased state control of education in specific state contexts and they explore what the future may hold in state level educational policymaking.

Outline of the Book

In this book, we weave together comparative case studies of six critical states, written by leading national experts, with a series of thematic chapters. The states selected for the case studies were chosen based on their geographic diversity, activist state legislatures, and visibility in the educational reform movement. This book compares major developments such as equity, accountability, and choice across the six states and it offers policymakers, teachers, administrators, and the public some means of understanding the changes occurring around them.

The book has three major parts. The first examines the growth of state power in six key states. The six case study chapters explore in detail the policy developments, reforms, and politics that have resulted in a decrease in local control over education. In the first chapter, Lawrence O. Picus uncovers historical events that shaped the political terrain in California. Tricia Browne-Ferrigno follows with a comprehensive review of educational policymaking in Kentucky—especially since the passage of the Kentucky Educational Reform Act (KERA) in 1990. Next, Bruce S. Cooper and Philip H. Nisonoff explore the politics of educational reform, with a focus on school funding and other reforms in New Jersey. Sandra Vergari’s chapter follows in which she writes about the difficulties of implementing reforms in New York. Brendan D. Maxcy, Andrea K. Rorrer, and Enrique Aleman, Jr.’s chapter includes information on the rise of state power in Texas. Continuing the focus on the states, in the last chapter of this part, Bruce D. Baker and Preston C. Green analyze Kansas’s educational policymaking history.

The second part of the book includes four thematic chapters focused on equity, comparative differences in state educational policies, agenda setting, and

the nationalization of educational policy. They address the major areas of recent state activity in education including educational equity (including finance), accountability, and curriculum policy implementation. These chapters expand on and extend the case studies presented earlier, drawing parallels to the expansion of state power in other states. Karen Seashore, Molly Gordon, Judy Meath, and Emanda Thomas open the part with a chapter focused on the roots of differences in state policies across the states of Oregon, New Mexico, and Missouri. Kevin P. Brady's chapter devoted to equity issues follows. Next, is Kathryn A. McDermott and Elizabeth DeBray-Pelot's chapter, which is broadly cast around issues of accountability and nationalizing educational policy. In the final chapter in this part, Mengli Song reviews recent activities and developments in the reading policy domain in nine states, and highlights the dominant role of the state in developing reading policies. She focuses on the loss of local control to state authority over reading curriculum and instruction. Her chapter rounds out the part by comparing and contrasting policy developments around a particular issue.

The last part of the book, the conclusions and future developments, provides some concerns, warnings, and possible new directions in state support for education, from a national view. To that end, Lance D. Fusarelli examines the success and failure of the growth of state power and centralization of control of education in the United States and forecasts future developments. This part brings the reader full circle from the introduction and early chapters, where we offer a historical analysis of the rise of state power, to an examination of potential future developments.

Audience for the Book

While other books have examined parts of this process, none to date has considered the evolution of the power of the state in education from the 1960s into the twenty-first century, comparing six key states—California, Kentucky, New Jersey, New York, Texas, and Kansas—which gives us a wide geographic spread and case studies of states that have witnessed major changes in the role and power of these jurisdictions to control education. Further, the cross-state and thematic chapters help to draw a national picture of the rising power of the state in educational policymaking.

This book should be of interest to educational leaders, policymakers, and policy analysts both in education and in the general field of public policy. Teachers, school administrators, business officials, and others—and those who train and prepare these educators—should find this book essential for understanding the linkups among federal and state capitals, school boards and schools, and teachers and students all of whom are being changed by the rising power of the state in education.

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