



A Forum Position Paper summarizing the results of a Forum Study Group that examined the long-range planning process and governing system for public education.

Creating an Educational Governance Framework For the Twenty-First Century

Introduction . . .

In her third week as Governor of North Carolina, Beverly Perdue made an announcement that caught many by surprise. She announced that she was appointing a Chief Executive Officer who would both direct the public schools of North Carolina and be recommended as Chair of the State Board of Education.

The Governor's decision to end the confusion around lines of accountability and responsibility for public education was a positive first step toward clarifying the governance of public education, the largest enterprise in North Carolina, representing 37% of the entire state budget and touching the lives of 1.4 million young people.

For the past six months, the Public School Forum has been examining the governance structure of schools in North Carolina and is recommending that the State go even further in clarifying accountability for education. Given that the new Administration came into office recognizing the need to overhaul a system that has remained little changed since 1945, the new Governor could provide the leadership to modernize the educational governance structure by calling for constitutional and operational changes that could greatly strengthen the governance, and hopefully, the effectiveness of the State's education system.

Background . . .

Since the Public School Forum came into being in 1985 every-other-year its Board of Directors devotes the better part of a school year to examining issues critical to education and framing recommendations that have the potential to strengthen schools across North Carolina. During what the Forum calls "Study Group" years, the Forum Board is converted into the equivalent of a Legislative Study Commission, examining issues, hearing from educational experts within and without of North Carolina, while working toward a consensus on recommendations. Previous Forum Study Groups have led to major legislative and policy changes including the creation of the Teaching Fellows Program, the establishment of supplemental funds for low-wealth and small schools, the beginning of the state's educational technology fund and much more.

In the year prior to a Study Group examination, the Forum Board discusses at length the most pressing issues facing education in North Carolina and ultimately settles on an issue. However, in 2008, the Forum Board deviated from past practice and opted to focus on two distinctly different issues, both of which were viewed as critical to the future of education.

Roughly one-half of the Forum Board chose to be part of a study focusing on strategies the state could employ to improve both the quality and quantity of leaders for North Carolina's schools. The other one-half of the Forum Board chose to examine ways that the governance of North Carolina's schools and the State's long-range educational planning process could be strengthened to insure that education will make more of a contribution to North Carolina throughout the twenty-first century.

What follows is a position paper that will outline four recommendations that the Forum believes have the potential to improve education for the young people across North Carolina.

Executive Summary . . .

The advent of a new Governor's Administration offers a timely opportunity to change the current system of governing K-12 schools – a system that is widely perceived as confusing and devoid of clear accountability lines. At the root of the problem is a lack of clarity around the role and responsibilities of a State Superintendent of Public Instruction who is elected by the people, but essentially stripped of day-to-day authority for administering the State's educational system as a result of legislation enacted in the mid-nineteen nineties that gave the State Board of Education the authority not only to establish educational policy but to oversee the day-to-day administration of the Department of Public Instruction.

Additionally, the State Board of Education in the mid-nineties created a Deputy Superintendent's position to serve at the pleasure of the State Board, and to assume the Chief Executive Officer (CEO) role that previously was performed by the State Superintendent of Public Instruction. The result was a school governance structure that many considered a "four-headed" monster with unclear and sometimes confusing lines of authority between the elected State Superintendent, the Chairman of the State Board, the Governor's Office and the Deputy Superintendent.

Governor Perdue's quick action to establish a CEO who also will chair the State Board of Education is a positive step toward ending the confusion that has existed. The Forum Study Group offers the following recommendations to the new Administration and to the General Assembly in the hopes that policymakers will take additional steps that will strengthen the governance of public education while establishing even clearer lines of accountability and responsibility for the years ahead.

Forum Study Group XIII Recommendations

Recommendation One:

The General Assembly should place a constitutional amendment proposition on the ballot that would call for the elimination of the elected State Superintendent of Public Instruction position and instead empower the State Board of Education to appoint a Commissioner of K-12 Education.

Recommendation Two:

The proposed constitutional amendment proposition should include a call for reconstituting the State Board of Education in the following manner:

The Governor will appoint 8 members of the State Board each of whom will represent one of the 8 educational regions in the State.

The Governor will also appoint the Chair of the State Board who will serve at the pleasure of the Governor.

The Speaker of the House & President Pro Tempore of the Senate will each appoint three members of the State Board.

All Board appointments should reflect the diversity of both North Carolina's people and geography.

The Lt. Governor and State Treasurer will continue to serve as members of the Board by virtue of position.

The terms of office for Board members will be for six years. Board members will be limited to serving no more than two, consecutive six year terms.

The initial members of the State Board will have terms of either two, four or six years. All subsequently appointed members of the State Board will be appointed to six year terms to provide for staggered terms of Board members.

Upon passage of the proposed constitutional amendment, the State Board shall be reconstituted as described above within six months of passage, giving the Board adequate time to conduct a national search for an Appointed Commissioner of K-12 Education, and be prepared to implement the transition from an elected State Superintendent of Instruction to coincide with the end of current Council of State terms following the 2012 elections

Recommendation Three:

The State Board should conduct a wage comparability study comparing DPI salaries with those paid individuals in similar positions with comparable responsibilities in the top twenty performing school systems in the nation, the Departments of Education in the nation's largest twenty states and to those in the Community College and UNC systems, with a special focus on pay for the CEO's and top administrative staff. If the study finds a disparity between North Carolina's DPI reward system and those in the comparability study, the Board should make recommendations for change to the General Assembly.

Recommendation Four:

The Forum commends the Governor-Elect for her decision to reinvigorate the Education Cabinet upon assuming office and calls on her to develop strategies that would lead to an integration of economic development and educational planning.

Rationale Behind Recommendations

Recommendation One: Amend the Constitution

While Governor Perdue's actions intend to make clear accountability lines in education, they will not totally end today's confusion around the role of the elected State Superintendent of Public Instruction. Every other official in state government who is elected through a statewide vote of the people is clearly in charge of his or her branch of State Government (*i.e.*, the Commissioners of Labor, Agriculture and Insurance, the Attorney General, *et al*).

Only in education does an official elected by a statewide vote of the people become an honorific position with little if any authority over their area of responsibility. As long as the position exists, to many average voters there will remain an assumption that they are electing "the person in charge." The very title "State Superintendent of Public Instruction," to the average voter and to most educators, implies the kind of authority that a local superintendent of schools has.

That was a key finding in an exhaustive study of the structure and organization of education in North Carolina that was recently conducted on behalf of the General Assembly by Evergreen Solutions, a consulting firm hired to examine the State's educational system. That report, issued in January of 2009, cited feedback such as the following:

- *"A clear pathway for accountability and leadership is non-existent in our state. Districts currently recognize multiple "islands" of governance with mandates coming from DPI, SBOE, Lt. Governor and the Governor. Add Judge Manning's directives from the bench to the mix and we have chaos."*
- *" . . . no one is really in charge. Without the State Superintendent having authority to act as a superintendent, there is no real leadership and no one is seen as having authority . . . "*

That type of feedback, reinforced by extensive interviews and surveys, led the Evergreen Solutions consultants to conclude *" . . . the current governance structure that diffuses responsibility and hinders accountability needs to be changed. The current hybrid situation does not work."*

The Forum Study Group reached the same conclusion as a result of hearing similar input from multiple sources and drawing comparisons between the governance of public schools and that of Community Colleges and the UNC System. The comparisons between public education and the State's other systems were best summed up by a high-ranking state official who observed:

"If I need to know where UNC stands on an issue, I make one call to the President's office and get an answer. If someone needs to know something about the Community College system, one phone call to the President's office will do it. However, when it comes to Public Schools one has to decide whether to call the State Superintendent, the Deputy Superintendent, the Chairman of the State Board of Education; or, would it be simpler to go directly to the Governor's Office? Once that is decided one needs to decide how many people to contact and in what order."

In comparing the governance of public schools to that of either the Community College or UNC Systems, two major differences are clear. First, the governance of both systems of higher education has tended to be stable. There is a continuity of direction and leadership. Following an election and a change of administration in state government, one does not wonder, for instance, who will be in charge of UNC or what new directions they will embark on. UNC's North Carolina Tomorrow initiative, as an example, which started two years ago, will continue to set the direction for the University System in the years ahead.

In contrast to that, the direction and priorities for public schools are very much subject to changes in administrations because of the degree to which school governance has become politicized, especially in the previous eight years, culminating with the Governor's Education Advisor, an unsuccessful candidate for the office of State Superintendent of Public Instruction, becoming Deputy State Superintendent, thus in charge of the day-to-day operations of the Department of Public Instruction.

Those differences led the Forum Study Group to conclude that the goals of any governance changes should be threefold. One, to professionalize the leadership of the Department and create a governance system that could attract and retain high-quality educational leaders to be entrusted with guiding the State's public schools.

Second, a governance system should, as much as possible, lead to continuity and stability of leadership. Third the system should end today's confusion around lines of authority and accountability.

The Forum Study Group, however, reached one very different solution than that proposed by the Evergreen Solutions consultants. The Study Group is recommending that the General Assembly place a constitutional change on the ballot intended to end the leadership confusion once and for all, while strengthening today's governance system for public education.

The Evergreen Solutions report pointed to previous efforts to change the constitutional language governing public schools and concluded that it was politically impossible to successfully gain the public support needed to change the constitution. The Forum Study Group disagrees with that view.

Given the current state of affairs, legitimate concerns about whether today's public schools are capable of giving young people the educational foundation they need in the twenty-first century, mounting awareness of the large number of students dropping out of the State's high schools and increased focus on the shortcomings of today's educational governance system, the Study Group believes that if the State's political leaders were to give strong support to a constitutional change, the public would vote in the affirmative. Thus, the key recommendation coming from the Study Group is not to seek a half-way solution to today's diffused governing system, but to change it altogether through the constitutional amendment process.

If successful, the recommended constitutional change would result in the same type of governance structure that exists in both the Community College and UNC Systems. Appointed Board members would employ a Commissioner or CEO of Public Education who would be accountable to the Board. The position of State Superintendent of Public Instruction would be eliminated.

Recommendation Two: Overhaul the State Board of Education

The importance of North Carolina's State Board of Education can not be overstated. North Carolina is the only state in the nation which gives the State Board the constitutional authority to administer and supervise public education.

Recognizing the importance of the State Board, the Forum Study Group recommends that it, like the Community College System Board the UNC Board of Governors and the boards of most major state commissions, include appointed representatives of not only the Governor but of the State Senate and House of Representatives.

The Study Group recommendations maintain and in one important way increase the strong Governor's model currently in place. The recommendations would insure that the Governor not only appoints the majority of the members to the State Board, but they would also give the Governor the power to name the Chair of the State Board who would serve at the pleasure of the Governor. Currently, the State Board elects its Chair and Vice Chair, albeit, Chairmanship recommendations from the Governor typically are supported.

Additionally, the Study Group recommendations would give three appointments each to the President Pro Tempore of the senate and to the Speaker of the House in an effort to create closer ties to the General Assembly upon which education depends for financial support.

Last, the Study Group recommends six year terms of office for State Board members instead of today's eight-year terms. No other branch of education has terms as long as the State Board's current eight year terms. That creates today's situation where, barring State Board seats becoming open because of death, relocation or resignation, a newly elected Governor will not be able to appoint a majority of members to the Board until, or unless, they are elected to a second term of office.

Recommendation Three: Conduct a Wage Comparability Study of the Department of Public Instruction

Professionalizing the leadership of public schools is not as simple as clarifying who is in charge. Over time, the salaries paid to key employees in the State Department of Public Instruction (SDPI) have become less and less competitive.

In recent years, high-ranking SDPI employees have left leadership positions in state government only to receive considerably higher salaries in large school systems within North Carolina. Top positions within the Department are paid at salaries equal to or little higher than school principals of large schools. Leadership salaries within the Department are paid at a rate far less than that found in the state's university system.

The Study Group believes that any effort to professionalize the department must include an examination of wage comparability with positions carrying similar responsibility in both the private and public sector. This study could be undertaken by the State Board immediately and any actions recommended as a result of a study could be made directly to the General Assembly for action.

Recommendation Four: Work to Integrate Educational & Economic Development Planning

The Public School Forum has organized nine studies of best educational practices in other countries. The most recent four studies have focused on countries that are emerging as economic leaders – China, India, Singapore and Ireland.

In each of those countries, economic development and educational planning are one and the same. Education in those countries is viewed as the basic building block for reaching national economic aspirations.

In contrast, education planning and economic development planning in the United States tend to take place in isolation. Commerce Departments and Education Departments work within separate “silos.”

While things like dropout rates or lower participation in STEM-related studies (i.e., science, technology, engineering and mathematics) are bemoaned in economic terms, such concerns rarely lead to integrated planning that would better focus education priorities on contributing to accomplishing economic goals.

Newly installed Governor Perdue is to be commended for announcing her intent to revive the Education Cabinet, a legislatively-created group designed to bring about closer collaboration and cooperation between the State’s three educational systems.

The Forum Study Group recommends that the Governor go even further in attempting to make North Carolina a leader in integrating economic development and educational planning. Such an initiative could result in early and more intensive counseling of students regarding jobs for the future. It could lead to strengthening community college and university programs in areas likely to prosper in the new economy. It could be central to the development of long-range education planning.

Conclusion . . .

“The existing division of authority at the state level serves to confuse those administering the schools locally. . . This arrangement makes for confusion, duplication and uncertainty of duties. It is responsible for a lack of coordination not only in administering the public schools but also in promoting a program of school improvement.”

The description of North Carolina’s school governance written above was not written in 2009. It was written in 1948 as part of a “Report of the State Education Commission” that was an omnibus study of education in North Carolina.

The description, written sixty years ago, remains largely valid today. And the problem did not emerge within the last eight years. The Public School Forum and other organizations have been calling for a constitutional amendment that would clarify the governance of the public schools since the mid-nineties.

As noted in the introduction to this position paper, the Forum commends Governor Perdue for proposing changes aimed at clarifying responsibility and accountability for the public schools within weeks of assuming office. The Forum Study Group believes the recommendations outlined in this position paper offer the Governor and the General Assembly a way to finish the job and create a school governance system that will serve the State well for years to come.

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