



50-STATE REVIEW



State Education Governance Structures: 2017 update

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Governance requires policymakers to engage in the intricate work of coordinating across various state and local agencies to provide public goods, services and support to diverse populations. This report is designed to help policymakers conceptualize the governance structures charged with creating, implementing and administering state education policies.

The education governance structures of most states — capturing the relationships of governors, state boards and state chiefs — can be categorized into one of four models.

This report provides four core governance structure models along with insight into how the associated structures and relationships shape state policy interactions — including both the priorities guiding policy development

and the processes for creating concrete education objectives. For each model, a visual representation of its structural framework is provided and how that framework might influence policymaking dynamics in associated states is discussed. Additionally, how each of the models may influence the distribution of authority and accountability in the state is examined. The report concludes with questions and policy considerations for addressing issues of state education governance.

What is Governance? Why Does it Matter?

Systems of governance are extremely complex. They require a set of component institutions, processes and norms to guide collective decision-making. Further, these components must work cohesively if government leaders are to effectively oversee public goods and services.

For states, governance means “the ability to make and enforce rules, and to deliver services” while reinforcing

Understanding the distribution of authority in state education governance models may prove insightful to understanding how education issues are prioritized and resolved in each state.

Understanding governance structures and their impact creates additional questions and considerations for policy leaders as they pursue education objectives.

collective, statewide ideas of purposes and goals.¹ For state education governance, this begins with a set of institutions tasked with framing priorities, such as the legislature, the state education agency and the state board of education. Further, it includes the processes these institutions use to set priorities, such as the legislative process, administrative rulemaking and the decision-making structures of the component institutions themselves.

Yet the components of state education governance systems stretch beyond inputs to also include the outputs of their processes: the services they deliver and the norms they enforce. This includes both the outputs themselves, such as a public system of K-12 education, as well as measures of the quality of those outputs, such as accountability systems for public education.

Implications for Practice

The practice of governance and its ability to effectively coordinate statewide action is heavily shaped by the institutions charged with implementing and administering public goods. States depend on governing bodies to identify problems, develop solutions and communicate those solutions to everyone impacted.²

Without the ability to coordinate approaches across component institutions, and to communicate and enforce shared expectations coherently to the public, the development and implementation of statewide priorities is nearly impossible.³ For education systems, the absence of large coordinating institutions would mean that larger goals — such as reducing educational inequities or preparing all students for college or the workforce — would remain elusive.

State Education Governance Structures

Building on data from Education Commission of the States and the National Association of State Boards of Education, this report illustrates the structure of relationships among coordinating institutions and state policy leaders in terms of four categorical models of state education governance.⁴

This is not a comparative study, as there is no evidence to suggest that one model is preferable to another in terms of performance. Understanding the distribution of authority in each model may prove insightful to understanding how states prioritize and resolve education issues. In addition, it is important to remember that the models and analysis capture only the formal authority and structures of state education governance, and do not consider the informal aspects of policymaking (i.e. governor's policy priorities, state norms for board/chief interaction, etc.). Finally, the summary discussion of the policy incentives associated with each model is not meant to imply that there are concomitant disincentives for the engagement of any of the policy actors described.

Key State Policy Leaders

This analysis highlights the interplay between key education policy leaders: governors, state boards of education and chief state school officers. Although legislators are also key to the policymaking process, the focus here is on the structure of policy relationships between governors, state boards and chiefs.

Governor: Popularly elected officials who serve as the chief executive officers of their state, governors oversee operations as well as create and enforce policies. Governors have statutory authority to approve or veto legislation and hold the power of appointment for many governmental management positions.⁵

State Boards of Education: State boards of education have numerous education governance responsibilities. State board members act as policymakers, advocates for education, liaisons between educators and policymakers, and consensus builders.⁶

Chief State School Officers: Also called state superintendents or state commissioners of education, individuals in this role are generally tasked with administrative oversight of state education agencies. Chief state school officers administer state law and board policy and, in some cases, may also be members of the state board of education.⁷



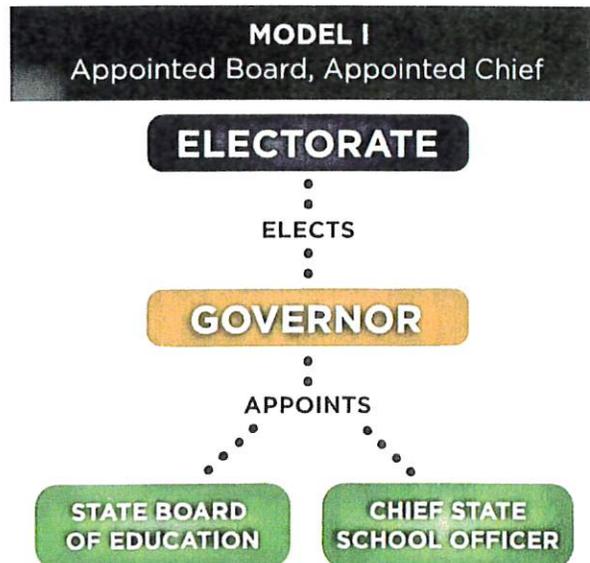
Points of Analysis

Governance structures create a framework for the interplay of **authority** and **accountability**.⁸ This dynamic is characterized by the ability of certain leaders or institutions to issue directives in the form of policies, laws or actions (authority) that is balanced with a duty to ensure that those directives are carried out appropriately and achieve the desired ends (accountability).⁹ This analysis provides context on how each of four governance models structure formal authority and accountability in the policy process.¹⁰

The following four governance models are in descending order of authority of the executive branch - governor. Note that in each of the models, in addition to the discussed authority structures, decisions on major education issues generally require legislative approval.

Model I

In Model I, voters elect the governor, who then appoints both the members of the state board of education and the chief state school officer.

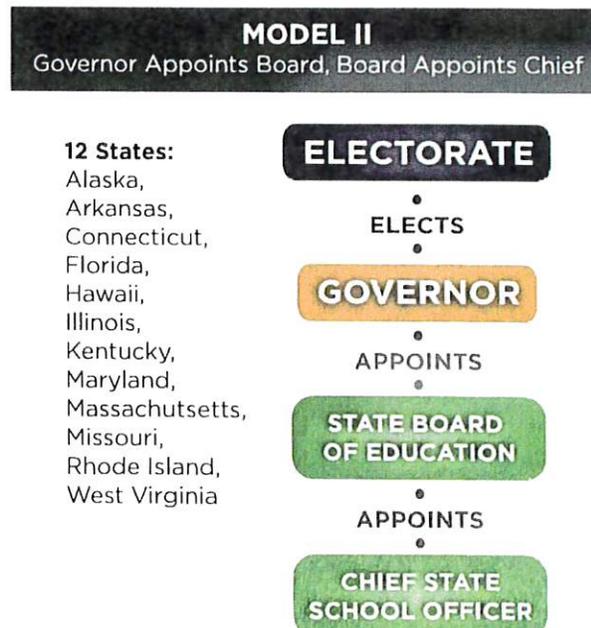


10 States: Delaware, Iowa, Maine, New Hampshire, New Jersey, Pennsylvania, South Dakota, Tennessee, Vermont, Virginia

Here, power is centralized in the executive branch, placing governors in the strongest position of all four models.¹¹ The governor's ability to select the state board and chief allows the executive branch to shape the key venue for education policy debates (the state board) as well as the administrative agency tasked with monitoring, implementing and administering those policies (the state education agency, led by the chief state school officer). Because the governor is accountable to voters, in Model I states where voter interest in education is high, emphasis may be placed on education policies through governors' initiatives. However, the structure of Model I also means the success of education policies are tied to the policy priorities of the governor's office.

Model II

In Model II, voters elect the governor, who then appoints either all or most the members of the state board of education. The state board, in turn, appoints the chief state school officer.

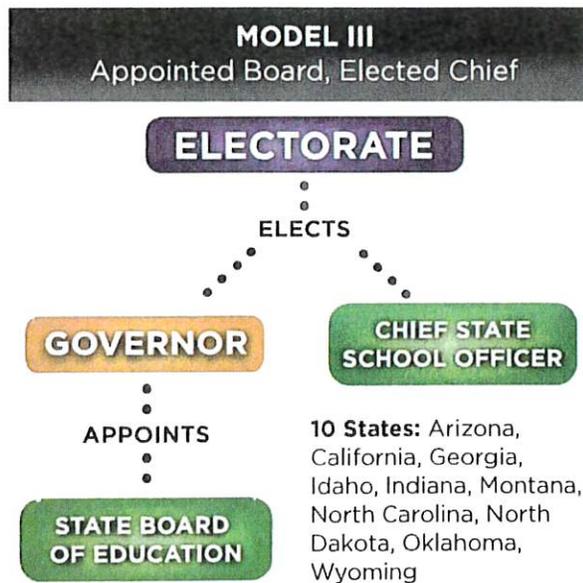


Authority in this model is characterized by a strong governor's role, though weaker than in Model I.¹² The power to appoint the state board of education may

give the governor incentive to take an active interest in education policy, and may mean voters hold the governor accountable on education issues. Since chief state school officers in Model II are directly accountable to the state board, not the governor, this structure may provide some flexibility to interpret policy priorities of the executive branch. Thus, governors in Model II states can shape the direction of education policy as well as incentives to support board/chief priorities in the legislature, but lack the ability to oversee policy details such as implementation or administration of policies and practices.

Model III

In Model III, voters elect both the governor and the chief state school officer. The governor then appoints the state board of education.

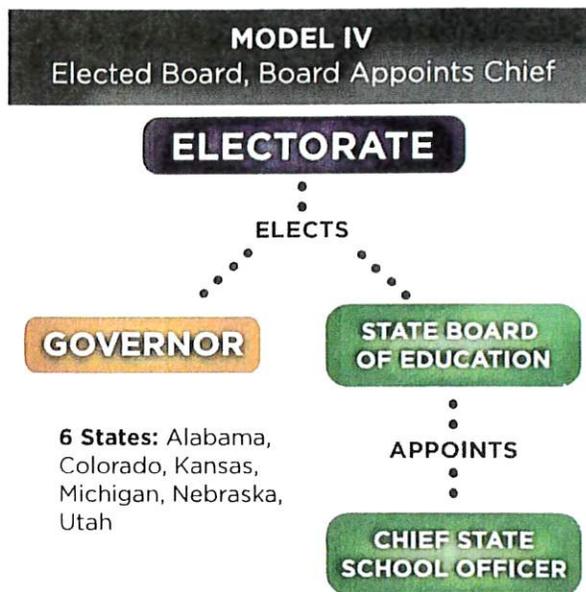


In this model, voters may distinguish the policy aims of the governor from the priorities of the chief state school officer. The role of the governor in education policy is weaker, and the state chief may have more authority.¹³ This creates a complex dynamic: when a governor and chief state school officer align priorities and/or are willing to cooperate, both may have a greater ability to influence

policy outcomes. Conversely, when in disagreement, the governor and the chief state school officer may struggle to pursue their separate education policy priorities, given that they are both accountable to voters and may have conflicting mandates.

Model IV

In Model IV, voters elect both the governor and the state board of education. The state board then appoints the chief state school officer.



Of the four models, Model IV provides the governor the least amount of direct authority over education governance.¹⁴ The state board of education is directly accountable to voters; however, the board's ability to reshape policy is often limited by statutory constraints. In an environment where governors have limited formal incentive to take a strong stance on education issues, this support may be difficult to obtain. As such, this governance dynamic produces a context where education leaders may be empowered to shape policy and remain flexible at the state level, but have limited ability to press for expansive policy changes that require significant funding or substantial policies changes.

Other Governance Models

Twelve states — Louisiana, Minnesota, Mississippi, New Mexico, New York, Nevada, Ohio, Oregon, South Carolina, Texas, Washington and Wisconsin — and the District of Columbia (D.C.) function under modified versions of the above four models.

Governor-Appointed State Board, Governor as Chief

In **Oregon**, state law identifies the governor as the state chief and gives him/her the authority to appoint and delegate authority to a deputy chief. The governor appoints the board.

Governor-Appointed and Elected State Board; Governor-Appointed Chief

In **Nevada**, four of seven voting members are elected from the four congressional districts and three voting members are appointed by the governor. The board also includes four additional nonvoting members. The governor appoints the chief.

Governor-Appointed and Elected State Board; Board-Appointed Chief

In **Louisiana**, eight board members are elected and the governor appoints three. In **Ohio**, 11 board members are elected, while the governor appoints eight members. In both states, the state board appoints the chief.

Governor-Appointed and Elected State Board; Elected Chief

In **Washington**, the chief state school officer is elected and the state board of education is made up of 16 members:

- Five elected by district directors (from western and eastern Washington).
- One elected by members of state-approved private schools.
- Superintendent of public instruction.
- Seven members appointed by the governor.
- Two student members (non-voting).

Jointly-Appointed State Board; Board-Appointed or Elected Chief

The governor, lieutenant governor and the speaker of the House appoint members to the state board in **Mississippi**. The state board appoints the chief state school officer.

Legislatively-Appointed State Board; Board-Appointed or Elected Chief

In **New York**, the state legislature appoints the board members and the board appoints the chief state school officer. The **South Carolina** legislature appoints the board, but the chief is elected.

Elected Board; Governor-Appointed Chief

In **Texas**, the state board is elected. The governor appoints the chief who also serves as the executive secretary of the state board.

In **D.C.**, voters elect the board of education. The District of Columbia Public Education Reform Amendment Act of 2007 created a new state board of education that advises the state superintendent and approves specified policies. Previously, the board oversaw day-to-day operations of schools. This act also gave the mayor primary responsibility for public education, including the authority to appoint the school superintendent and chancellor.

No State Board or Advisory Only; Governor-Appointed or Elected Chief

Neither **Minnesota** nor **Wisconsin** has a state board of education. **New Mexico** has an elected body (Public Education Commission), but it is only advisory.

- Minnesota and New Mexico — chief state school officer is appointed by the governor.
- Wisconsin — chief state school officer is elected.

Questions for Education Governance

Policy creation involves a broader set of actors with a vast array of priorities. Implementation and administration of programs falls on state education agencies and local school districts. As states begin implementing their plans under the Every Student Succeeds Act, they should ask questions about the relationship between governance structures, the legislature and administrators including:¹⁵

- Does our state's basic structure and organization of education governance support our ability to reasonably pursue our state's education goals?
- Do working relationships among policy leaders at the state and local levels function in a way that reinforces student success and policy cohesion in our state?
- Are the legislative mandates and regulatory policies shaping our state's education system clear and cohesive?

Policy Considerations

This report provides a high-level overview of the institutional actors and structures in education governance in the states, as well as the policy environment they create. Given these relationships, the following governance considerations for state leaders are offered as they pursue new programs and elaborate state goals:

- **Always consider capacity.** When elaborating state education goals, policymakers should consider the capacity of state and local agencies to deliver on policy promises, as well as how decisions at the state leadership level can serve to enhance or diminish that

capacity. Capacity includes not only financial resources and personnel, but also organizational culture. For example, a culture of dynamic improvement, necessary to support the attainment of certain educational goals, can be either supported or hindered by the policies established by state and local leadership.¹⁶

- **Focus on leadership.** Effective leadership enables growth in agency capacity. Thus, policy leaders responsible for appointing the chief — the leader of the state's education agency — should strive to appoint individuals who are both acutely aware of the management challenges for a large state agency and system, and are experienced in implementing a strategic vision in politically complex environments.¹⁷
- **Be intentional about governance choices.** One of the core considerations for education governance is whether implementation and administration should be centralized (state led) or decentralized (district led). State leaders should be aware of the impact their policy decisions have on this dynamic. Policy decisions in this area should be made on an issue-by-issue basis in the context of a state's education vision, goals and governance capabilities, as opposed to a holistic preference for centralization or decentralization.¹⁸
- **Prioritize simplicity and transparency.** Actors within state education governance structures should consider the benefits of pursuing less complex and more transparent policy solutions in the pursuit of achieving state education goals. Such considerations may help to both improve the tenor of the dialogue surrounding policy debates, and support governance and administrative structures in improving education quality.¹⁹



Appendix I

State Education Governance Models by State.

State	Models I - IV				Statutory Reference
	I	II	III	IV	
Alabama				X	AL. Code § 16-3-1; AL. Code § 16-4-1
Alaska		X			AK. Stat. § 14.07.085; AK. Stat. § 14.07.145
Arizona			X		ARS 15-201; AZ Const. Article 5 Sec. 1
Arkansas		X			AR Code § 6-11-101; AR Code § 6-11-102
California			X		Cal. Ed. Code § 33000; CA Const. Article II Sec. 6
Colorado				X	CRS § 22-2-105; CRS § 22-2-106
Connecticut		X			Conn. Gen. Stat. § 10-1; Conn. Gen. Stat. § 10-3a
Delaware	X				Del. Code tit 14, § 102; Del. Code tit 14, § 104
Florida		X			Fla. Code § 1001.01; Fla. Const. Article IX, Sec. 2
Georgia			X		GA Code § 20-2-1; GA Code § 20-2-30
Hawaii		X			HRS § 302A-121; HRS § 302A-1101
Idaho			X		Idaho Code Ann. § 33-102; Idaho Const. Article IV Sec. 1,
Illinois		X			105 ILCS 1A-1(b); IL Const. Article X Sec. 2
Indiana			X*		IC 20-19-2-2.1; IC 20-19-1-1.1
Iowa	X				ICA § 256.3; ICA § 256.8
Kansas				X	KSA § 72-7503; KSA § 72-7601
Kentucky		X			KRS § 156.029; KRS § 156.148
Maine	X				20-A MRS § 401; 20-A MRS § 251
Maryland		X			MD Code Education, § 2-202; MD Code Education, § 2-103
Massachusetts		X			MGLA 15 § 1E; MGLA 6A § 14A
Michigan				X	MCLA Const. Art. 8 § 3
Missouri		X			VAMS 161.022; VAMS 161.020
Montana			X		MT Const. Article VI Sec. 7, MT Const. Article VI Sec. 8;
Nebraska				X	Neb. Rev. St. § 79-310; Neb. Rev. St. § 79-318
New Hampshire	X				N.H. Rev. Stat. § 21-N:10; NH Rev. Stat. § 21-N:3
New Jersey	X				NJSA 18A:4-4; NJSA 18A:4-21
North Carolina			X		NCGSA § 115C-10; NCGSA § 115C-18
North Dakota			X		NDCC, 15.1-01-01; NDCC, 15.1-02-01



State	Models I - IV				Statutory Reference
	I	II	III	IV	
Oklahoma			X		<u>70 Okl.St. Ann. § 3-101; OK Const. Article VI Sec. 4</u>
Pennsylvania	X				<u>24 P.S. § 26-2602-B; PA Const. Article IV Sec. 8</u>
Rhode Island		X			<u>Gen.Laws 1956, § 16-60-2; Gen.Laws 1956, § 16-60-6</u>
South Dakota	X				<u>SDCL § 1-45-6.1; SD Const. Art. 4, § 9</u>
Tennessee	X				<u>T. C. A. § 49-1-301; T. C. A. § 4-3-802</u>
Utah				X	<u>U.C.A. 1953 § 53A-1-201; U.C.A. 1953 § 53A-1-301</u>
Vermont	X				<u>16 V.S.A. § 161; 3 V.S.A. § 2702</u>
Virginia	X				<u>VA Code Ann. § 22.1-9; VA Code Ann. § 22.1-21</u>
West Virginia		X			<u>W. Va. Code, § 18-2-1; W. Va. Const. Art. 12, § 2</u>
Wyoming			X		<u>W.S.1977 § 21-2-301; WY Const. Art. 4, § 11</u>

*Indiana recently changed its selection method for state superintendent of public instruction. Beginning in 2025, the superintendent will no longer be elected and will instead be appointed by the governor. (HB 1005 2017)



ENDNOTES

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**State School Board Governance Options:
Impact on Key Education Priorities**

PRIORITY	Nonpartisan Elections	Partisan elections	Governor Appointed*	Proposed 5-4-4 Compromise
The structure supports the development of a shared statewide vision and goals for the K-16 public education system. ^{1,2,3}	Yes – though the Board may still be in a silo	Maybe - partisanship may create division on shared vision and goals.	Yes ²	Yes-need for compromise and broad consensus to gain majority support pushes in this direction
The structure supports sustained focus on reaching established goals, including 66% by 2020. ²	Maybe - as with all elections, sustained focus may be affected by elections.	Maybe - as with all elections, sustained focus may be affected by elections.	Yes – with 6 year appointments, Board may sustain efforts more steadily.	Probably – as with all elections sustained focus may be affected by elections, but appointments help create balance.
The structure allows for coordination across state agencies for the benefit of public education. ²	Yes	Yes	Yes – this structure is optimal for coordination across state agencies, such as GOED, DWS, HHS, etc.	Yes – increased in regards to Governor appointees
The State Board of Education is able to establish policies, standards, and accountability.	Yes	Probably - but a highly partisan division could decrease shared vision and make reforms slower.	Yes	Yes-making partisan seats a minority protects the Board from highly partisan divisions
The structure leaves room for innovative local leadership and maintains local control over curriculum and instruction.	Yes	Yes	Yes	Yes
The general public maintains a 'voice' in education leadership ²	Yes – voters can hold accountable decisions made by the Board at the ballot box	Yes-voters can hold accountable decisions made by the Board at the ballot box.	Yes - although indirect: Governor has high visibility and is held accountable at the ballot box	Yes – voters can hold accountable decisions made by the Board at the ballot box, although with large districts, there could be a decrease in direct connection between voters and Board members
The process is easy for the general public to understand, and they are more easily able to know their Board member. ²	Yes-the public is well educated on these types of elections in local school board and municipal elections	Yes-but there is still confusion among many voters with the caucus/convention system.	Maybe – the process is simple, though Board members may have less of a direct connection to the public.	Maybe-the process is more complicated but high profile elections and added media scrutiny may increase public awareness of board members.
The structure de-politicizes education leadership.	Yes	No	Yes	Yes-possible exceptions are partisan Board seats
The Board has the capacity to provide schools with adequate resources, through legislative and executive	Yes	Yes	Yes – this structure is optimal for partnership with the executive branch ²	Yes – possibly improved with appointees and inherent partnership with executive branch

partnership. ²	Nonpartisan Elections	Partisan elections	Governor Appointed	Proposed 5-4-4 Compromise
Representation from urban and rural areas can be ensured.	Yes	Yes	Yes	Yes
The State School Board can have needed expertise in a variety of areas. ²	Maybe – depends on candidates and election results	Maybe – depends on candidates and election results	Yes ²	Yes – through Governor appointees
School policy decisions less vulnerable to election year politics	No	No	Yes	Maybe – Governor appointees decrease impact of election year politics

Prepared by Senators Evan Vickers, Al Jackson and Ann Millner

*Governor Appointed Model could be the Utah Board of Regents Model, with Gubernatorial Appointment and Senate Confirmation of appointees to 6-year terms. Regents are limited to serving two terms.

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4. Governor's Office of Education
5. Sutherland Institute
6. Utah State School Superintendent's Association

Other Notes:

The Hatch Act precludes participation in partisan elections by persons whose employment is funded with federal dollars. There is currently one state school board member who would be affected by this change if the elections moved to partisan. Areas with a high concentration of federal employees would also be affected by this change

There is some question as to language in the State Constitution of whether members of state or local boards could be elected by a partisan election. This would need to be resolved before seeking a change to the Constitution.

The Compromise model provides balance to the board and will help to decrease the politicization of the board.

"The ultimate goal is to find a process that allows 13 good people to be selected to represent our school children who will sit down together and collaborate on determining what is in their best interests as they develop public education policy"

STATE EDUCATION GOVERNANCE MATRIX

Compiled by the National Association of State Boards of Education
(Updated January 2016)

STATE	METHOD OF SELECTION OF STATEBOARD MEMBERS	NUMBER DEVOTING MEMBERS	LENGTH OF TERM	STATE BOARD ESTABLISHED IN STATUTE OR CONSTITUTION	SELECTION OF CHIEF STATE SCHOOL OFFICER	SELECTION OF STATEBOARD CHAIR/PRESIDENT	AUTHORITY FOR TEACHER LICENSE	AUTHORITY FOR STANDARDS ADOPTION	SPECIAL NOTES
Alabama	Partisan Ballot	8 plus Gov.	4	Constitution	Appt. by SBE	Governor is President of Board	SBE	SBE	SBE oversees community colleges
Alaska	Appt. by Gov., confirmed by legislature	7	5	Statute	Appt. by SBE, with approval by Gov.	Elected by SBE members	SBE	SBE	<ul style="list-style-type: none"> Board appoints one student advisor, and one military advisor is appt. by Alaska Adj. Gen. of the Army; these members vote, but their votes are advisory. CSSO must have 5 yrs. experience in education, 3 in administration
Arizona	Appt. by Gov., confirmed by Senate	11, including CSSO	4	Constitution	Partisan Ballot	Elected by SBE members	SBE	SBE	<ul style="list-style-type: none"> Sits as Vo-Tech board Requires four lay members Two members added in 2005: one lay member, one charter school administrator
Arkansas	Appt. by Gov.	9	7	Statute	Appt. by SBE	Elected by SBE members	SBE	SBE	<ul style="list-style-type: none"> CSSO serves at the pleasure of the Governor CSSO must have 10 yrs. teaching experience, including 5 in administration or supervision, and hold state teacher=s certificate
California	Appt. by Gov.	11, including student	4	Constitution	Nonpartisan Ballot	Elected by SBE members	Independent board	SBE	Voting student member (with 1-year term) who has full participation rights
Colorado	Partisan Ballot	7	6 (limited to 2 terms)	Constitution	Appt. by SBE	Elected by SBE members	SBE	SBE	When a vacancy occurs, a new SBE member is appointed by a partisan vacancy committee to fill the remainder of the term.

SBE = state board of education
CSSO = chief state school officer (e.g. commissioner, superintendent)
Appt. = appointed

STATE	MEMBERSHIP SELECTION OF STATEBOARD MEMBERS	NUMBER OFVOTING MEMBERS	LENGTH OF TERM	STATE BOARD ESTABLISHED BY CONSTITUTION	SELECTION OF CHIEF STATE SCHOOL OFFICER	SELECTION OF STATEBOARD CHAIR/ PRESIDENT	AUTHORITY FOR TEACHER LICENSURE	AUTHORITY FOR STANDARDS ADOPTION	SPECIAL NOTES
Connecticut	Appt. by Gov., confirmed by House and Senate	11	4 (2 non- voting students serve 1-year terms)	Statute	Recommendation by SBE to Gov.	Appt. by Gov.	SBE	SBE	<ul style="list-style-type: none"> The Commissioner of Higher Education serves as an ex officio, nonvoting member of the board; Two members must have vo-tech or manufacturing experience
Delaware	Appt. by Gov., confirmed by Senate	7	6	Statute	Appt. by Gov.	Appt. by and serves at the pleasure of the Gov.	Independent board, but its regulatory actions require approval by SBE	SBE	<ul style="list-style-type: none"> 2 SBE members must have local board experience; Must be a resident for 5 years in order to sit on board
Florida	Appt. by Gov.	7	4	Constitution	Appt. by SBE	Elected by SBE members	SBE	SBE	<ul style="list-style-type: none"> Commissioner of Ed. serves on Board of Governors for the state university system; SBE oversees community colleges
Georgia	Appt. by Gov.	13	7	Constitution	Partisan Ballot	Elected by SBE members	Independent board	SBE	SBE members must be
Hawaii	Appt. by Gov., confirmed by Senate	9	7	Constitution	Appt. by SBE	Elected by SBE members	Independent board	SBE	<ul style="list-style-type: none"> Board changed from elected to appointed in 2011; Nonvoting student and military rep.
Idaho	7 Appt. by Gov.; CSSO also serves on SBE	8	5	Constitution	Partisan Ballot	Appt. by and serves at the pleasure of the SBE	SBE	SBE	<ul style="list-style-type: none"> SBE is also Board of Regents for Univ. of Idaho and governs all state higher ed. institutions SBE oversees community colleges
Illinois	Appt. by Gov.	9	4 (limited to 2 terms)	Constitution	Appt. by SBE	Appt. by Gov.	SBE	SBE	Requirements for regional and political balance on board

STATE	METHOD OF SELECTION OF STATEBOARD MEMBERS	NUMBER OF VOTING MEMBERS	LENGTH OF TERM	STATE BOARD ESTABLISHED IN STATE OR CONSTITUTION	SELECTION OF CHIEF STATE SCHOOL OFFICER	SELECTION OF STATE BOARD PRESIDENT	AUTHORITY FOR TEACHER LICENSURE	AUTHORITY FOR STANDARDS ADOPTION	SPECIAL NOTES
Indiana	10 members appt. by Gov., plus elected State Superintendent	11	4	Statute	Partisan Ballot	State Supt. serves as chair	Licensing authority is now with Dept. of Ed., with advisory licensing board	SBE	<ul style="list-style-type: none"> 4 members must be educators Political balance is required \$2,000 per year for state board members
Iowa	Appt. by Gov.	9	6	Statute	Appt. by Gov.	Elected by SBE members (2-year term)	Independent board	SBE	<ul style="list-style-type: none"> One nonvoting student member; SBE oversees community colleges
Kansas	Partisan Ballot	10	4	Constitution	Appt. by SBE	Elected by SBE members (2-year term)	SBE	SBE	
Kentucky	Appt. by Gov., confirmed by Senate	11	4	Statute	Appt. by SBE	Elected by SBE members	Independent board	SBE	<ul style="list-style-type: none"> President of Council on Postsecondary Ed. is nonvoting ex officio member, Board members must be resident for 3 years, at least 30 years old, and hold a 2-year Associate degree; Governor appoints Secretary of Education
Louisiana	8 elected by nonpartisan ballot; 3 appt. by Gov.	11	4	Constitution	Appt. by SBE	Elected by SBE members	SBE	SBE	
Maine	Appt. by Gov.	9	5	Statute	Appt. by Gov.	Elected by SBE members	SBE	CSSO & SBE	Two non-voting student members added in 2008
Maryland	Appt. by Gov.	12 incl. student member	4 (term limit of 2 4-year terms)	Statute	Appt. by SBE	Elected by SBE members	Shared responsibility between SBE and separate licensure board	SBE	<ul style="list-style-type: none"> Voting student member, which is a one-year appointment by the Gov. CSSO must have 7 yrs. teaching experience and administration experience

STATE	METHOD OF SELECTION OF STATEBOARD MEMBERS	NUMBER NONVOTING MEMBERS	LENGTH OF TERM	STATE BOARD ESTABLISHED IN STATUTE OR CONSTITUTION	SELECTION OF CHIEF STATE SCHOOL OFFICER	SELECTION OF STATE BOARD CHAIR/ PRESIDENT	AUTHORITY FOR TEACHER LICENSURE	AUTHORITY FOR STANDARDS/ADDITION	SPECIAL NOTES
Massachusetts	6 appt. by Gov.; 4 voting ex officio members, 1 student	11 incl. student member	5	Statute	Appt. by SBE	Appt. by Gov.	SBE	SBE	<ul style="list-style-type: none"> Legislation in 2008 created a Secretary of Education to coordinate the work of the K-12, early childhood, and higher education boards; The legislation also added two members to the K-12 board, as well as the Secretary of Education
Michigan	Partisan ballot	8	8	Constitution	Appt. by SBE	Elected by SBE members	SBE	SBE	<ul style="list-style-type: none"> Gov. is ex officio member of the board; State teacher of the year is a nonvoting advisor to the board; SBE oversees community colleges
Minnesota	None			None	Appt. by Gov.		Independent board	CSSO	State Board existed by statute, but was abolished by legislature as of Dec. 31, 1999
Mississippi	5 appt. by Gov. 4 appt. by Leg.	9	9	Constitution	Appt. by SBE	Elected by SBE members	SBE	SBE	<ul style="list-style-type: none"> Lt. Gov. and speaker of the house each appoint 2 members; CSSO must have 5 yrs. administrative experience
Missouri	Appt. by Gov. with consent of Senate	8	8	Constitution	Appt. by SBE	Elected by SBE members	SBE	SBE	Authority over university and other community college system teacher education programs
Montana	Appt. by Gov.	7	7	Constitution	Partisan ballot	Elected by SBE members	SBE	SBE	<ul style="list-style-type: none"> Nonvoting student member has 2-year term; Gov., commissioner of higher ed., and state supt. are nonvoting ex officio members of SBE; K-12 Board of Public Ed. and Board of Regents meet together as "State Board of Education"
Nebraska	Nonpartisan	8	4	Constitution	Appt. by SBE	Elected by	SBE	SBE	Teachers, state officials or candidates.

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	Ballot					SBE members			and nonresidents are not eligible for board membership
Nevada	4 elected 3 appointed by Gov.	7	4	Statute	Appt. by Gov. from 3 nominees provided by SBE	Elected by SBE members	Independent board	SBE	<ul style="list-style-type: none"> Nonvoting student member 2011 law reconstituted SBE into mix of elected and appointed members
New Hampshire	Appt. by Gov., confirmed by Executive Council	7	4	Statute	Appt. by Gov. after consulting SBE, confirmed by Council	Named by Gov. for 1-year term	SBE	SBE	Gov. and Executive Council appoint SBE
New Jersey	Appt. by Gov.	13	6	Statute	Appt. by Gov.	Elected by SBE members	SBE	SBE	<ul style="list-style-type: none"> 3 members of SBE must be women Resident for 5 yrs. to sit on board
New Mexico	None			None	Appt. by Gov		Independent board	Department of Education	2003 Constitutional amendment reconstituted SBE as the Public Education Commission (PEC), which is advisory to the Secretary of Ed. The PEC is the authorizer of all charter schools in the state.
New York	Appt. by Legislature	16	5	Constitution and Statute	Appt. by SBE	Elected by SBE members	SBE	SBE	Responsible for higher education, cultural institutions, special education, vocational rehabilitation, and licensed professions
North Carolina	11 appt. by Gov., approved by joint session of House and Senate; 2 voting ex officio members: State Treasurer and Lt. Gov.	13	8	Constitution	Partisan Ballot	Elected by SBE members	SBE	SBE	7 nonvoting advisors: <ul style="list-style-type: none"> 2 students 2 Teachers of the Year 1 Principal of the Year 1 local superintendent 1 local board member
North Dakota	6 Appt. by Gov. plus CSSO.	6	3	Statute	Nonpartisan Ballot	Elected by SBE members	SBE	CSSO	
Ohio	11 elected by Nonpartisan	19	4	Constitution	Appt. by SBE	Elected by SBE members	SBE	SBE	Separate board for higher education; 2 ex officio members (nonvoting)

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Oklahoma	Ballot, 8 appt by Gov. Appt. by Gov.	7	4, serve at pleasure of gov.	Constitution	Partisan Ballot	State Supt. serves as chair	SBE	SBE	2 SBE members are ex officio voting members of the State Board of Career and Technology Education
Oregon	Appt. by Gov.	7	4 (2 term limit)	Statute	Appt. by Education Investment Board	Elected by SBE members	Independent board	SBE	2011 law created the Oregon Education Investment Board, a P-20 coordinating body with gov. serving as chair, currently 1 SBE member also serves on the Education Investment Board
Pennsylvania	Appt. by Gov., confirmed by Senate	21	6	Statute	Appt. by Gov.	Appt. by Gov.	SBE	SBE	<ul style="list-style-type: none"> Statutory responsibility for post-secondary education; In 2008, four nonvoting students were added (2 for K-12, 2 for higher ed), who serve first year as member-elect, second year as member
Rhode Island	Appt. by Gov., confirmed by Senate	11	3 (limited to two 3-year terms)	Statute	Appt. by SBE	Appt. by Gov. (Gov. also appoints vice-chair)	SBE	SBE	New for 2013: A state law combined the boards for K-12 and higher education into one board appointed by the governor
South Carolina	Appt. by Legislature	17	4	Constitution	Partisan Ballot	Elected by SBE members	SBE	SBE	Legislative delegations elect 16 SBE members, Gov. appoints 1 SBE member
South Dakota	Appt. by Gov.	9	4	Statute	Appt. by Gov.	Elected by SBE members	SBE	SBE	SBE has jurisdiction over state's four technical institutes
Tennessee	Appt. by Gov., confirmed by General Assembly	10, incl. student member	5	Statute	Appt. by Gov.	Elected by SBE members (4-year term)	SBE	SBE	<ul style="list-style-type: none"> Voting student member (1-yr. term); Board selects Executive Director; Serves as State Board for Vocational Education
Texas	Partisan Ballot	15	4	Constitution	Appt. by Gov.	Appt. by Gov. (2-year term)	Independent board	SBE	
Utah	Nonpartisan Ballot	15	4	Constitution	Appt. by SBE	Elected by SBE members	SBE	SBE	SBE has six nonvoting members: two representing the State Board of Regents and one each representing the Coalition of Minorities Advisory

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									Committee, the Utah School Boards Association, the state Charter School Board, and Utah College of Applied Technology
Vermont	Appt. by Gov. and approved by the Senate	9, incl. student member	6 (limited to 1 term)	Statute	Appt. by Gov. from 3 nominees provided by SBE (as of January 2013)	Elected by SBE members (2-year term)	Independent board	SBE	2nd student member is nonvoting, a junior who moves to the voting position the next year.
Virginia	Appt. by Gov.	9	4	Constitution	Appt. by Gov.	Elected by SBE members	SBE	SBE	
Washington	5 elected by local school board members; 7 appt. by Gov. and confirmed by Senate; 1 elected by private schools; State Supl.	14 limited to 2 terms (CSSO excepted); 2 nonvoting students	4 (students serve 2 years, starting as junior)	Statute	Nonpartisan Ballot	Elected by SBE members	Independent board	CSSO	<ul style="list-style-type: none"> Legislation passed in 2005 reconstituted board for 2006; Private school rep. and CSSO have full voting rights; For school board representatives, 3 are from western part of state, and 2 from eastern part.
West Virginia	Appt. by Gov. and approved by Senate	9	9	Constitution	Appt. by SBE	Elected by SBE members	SBE	SBE	<ul style="list-style-type: none"> Three nonvoting ex officio members: CSSO, chancellor of higher education, and chancellor of community and technical college education; No more than 5 SBE members can be from same political party.
Wisconsin	None			None	Nonpartisan Ballot		CSSO advised by a Professional Standards Council	CSSO	
Wyoming	Appt. by Gov.	11	6 (limited to 1 term)	Statute	Partisan Ballot	Elected by SBE members	Independent board	SBE	<ul style="list-style-type: none"> Meets quarterly; Reviews all school accreditation compliance for approval or disapproval.
District of Columbia	Nonpartisan ballot	9	4	Statute	Chancellor and CSSO are appt. by mayor	Elected by voters at-large		SBE	<ul style="list-style-type: none"> Board, previously both state and local, reconfigured solely as state board of education in 2007; 2 nonvoting student members

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Guam	6 elected at-large; 3 appointed by Gov.; 1 voting student	10 (including student)	3 years for appointed, 2 for elected	Statute	Appt by SBE	Elected by SBE members			One each of the 3 appointed members must represent business, parents of students, and retired teachers or school administrators
Northern Marianas	Elected	5	4	Constitution	Appt by SBE	Elected by SBE members			3 nonvoting members (including 1 student, 1 teacher, and 1 private school representative) are appointed by the Governor

Compiled by the National Association of State Boards of Education, updated January 2016 by Jared Costanzo.

We are aware that there are often changes to state governance structures. Please help keep policymakers and the education community informed: when changes occur in your state, contact Francis Eberle at FrancisE@NASBE.org

**How State School Board Structure Options Affect Key Priorities:
Do Proposed Changes Improve or Decrease Ability to Meet Priorities?**

	Nonpartisan Elections	Partisan elections	Governor Appointed	Proposed Hybrid
The structure supports the development of a shared statewide vision and goals for the K-16 public education system.	Same	Same, though partisanship may create division on shared vision and goals.	Improved with appointment under the Governor, preK-16 alignment is optimized.	Improved with inclusion of Governor appointees
The structure supports sustained focus on reaching established goals.	Same: As, with all elections, sustained focus may be affected by elections.	Same: As, with all elections, sustained focus may be affected by elections.	Improved without elections, board may sustain efforts more steadily.	Improved with appointed positions, same with elected
The structure allows for coordination across agencies for the benefit of public education.	Same	Same	Improved Governor appointment aids coordination across agencies.	Improved
The State Board of Education is able to establish policies, standards, and accountability	Same	Same	Same to Improved	Same to Improved
The State Office of Education is able to provide timely support and information on best practices to LEAs.	Same	Same	Same	Same (?)
The structure leaves room for innovative local leadership and maintains local control over curriculum and instruction.	Same	Same	Same	Same
The general public maintains a 'voice' in education leadership	Same	Could be argued improvement through caucus or signature gathering method Could also be argued decreased through caucus method	Improvement although indirect: Governor has high visibility and is held accountable at the ballot box	Same to Improved
The structure de-politicizes education leadership.	Improved	Decreased	Improved	Same to improved
The Board has the capacity to provide schools with adequate resources, through legislative and executive partnership.	Same	Same	Improved partnership with the executive branch.	Improved partnership with executive branch, possible improved partnership with legislative branch

Note: The Hatch Act precludes partisan election on the State Board by persons whose employment is funded with federal dollars. There is currently 1 school board member who would be affected by this change

Also, there is some question as to language in the State Constitution of whether members of state or local boards could be elected by a partisan election.

How State School Board Structure Options Affect Key Priorities
Do Proposed Changes Improve or Decrease Our Ability to Meet Priorities?

	Nonpartisan Election with Signature Gathering	Nonpartisan Election by Local Boards	Let voters decide between partisan or appointed	Nonpartisan elections with limited candidate pool.	Partisan elections of state and local school board members
	(Gibson)	(Thurston)	(McCay & Millner)	(Powell)	(Jackson)
The structure supports the development of a shared statewide vision and goals for the K-16 public education system.	Same	Same	Improved with appointment under the Governor, K-16 alignment is optimized.	Same	Same, though partisanship may create division on shared vision and goals.
The structure supports sustained focus on reaching established goals.	Same, with all elections, sustained focus may be affected by elections.	Same, with all elections, sustained focus may be affected by elections.	Improved with appointment, without elections board may sustain efforts more steadily.	Decreased, with the inability for incumbents to seek reelection, board historical knowledge will decrease.	Same, with all elections, sustained focus may be affected by elections.
The structure allows for coordination across agencies for the benefit of public education.	Same	Same	Improved with Governor appointment, aids coordination across agencies.	Same	Same
The State Board of Education is able to establish policies, standards, and accountability	Same	Same	Same	Same	Same
The State Office of Education is able to provide timely support and information on best practices to LEAs.	Same	Improved with direct connection between LEA and state board member.	Same	Improved with increased connection between LEA and state board member.	Same
The structure leaves room for innovative local leadership and maintains local control over curriculum and instruction.	Same	Same	Same	Same	Same
The general public maintains a 'voice' in education leadership	Improved, with more citizens engaged in signature gathering process	Improved, but through their local board members who may have low visibility	Improved, although indirect, Governor has high visibility and held accountable at the ballot box	Improved, although a limited candidate pool	Improved, but through caucus system which may remove options
The structure depoliticizes education leadership.	Improved	Improved	Improved	Improved	Decreased
Addresses key question of State Board of Education being the only elected rulemaking body.	Same	Same	Improved if appointed	Same	Same
The Board has the capacity to provide schools with adequate resources, through legislative and executive partnership.	Same	Same	Improved partnership with the executive branch.	Same	Same

UTAH PUBLIC EDUCATION SYSTEM

