

# **SCHOOL DISTRICT GOVERNANCE REFORM: THE DEVIL IS IN THE DETAILS**

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## EXECUTIVE SUMMARY

To what extent has governance reform in large, urban public school districts resulted in better student performance, greater accountability, and more educational innovation? When a school district is governed by a mayor, do the district's fortunes improve?

The answers to these questions, unfortunately, are not clear cut. Large urban districts that have experienced governance reform have often seen several iterations of reform over the course of several years and mixed results. Still, despite the complexity of their reform efforts over the past decade, comparable school districts have much to teach policymakers and educators in Milwaukee. The Public Policy Forum researched several comparable districts and came up with these key findings:

- **Integrated governance reform happens over years and may occur in several incarnations:** It appears that governance reform may either require implementation in phases, constant revisions, or may not be sustainable over long periods. That restructuring is frequent in most of the districts could be evidence of greater accountability, but even so, governance reform has been a multi-step process when attempted elsewhere.
- **A mayor's ability to achieve improvements is dependent on outside factors:** Mayoral takeovers concentrate accountability in one leader, which has the potential to produce education innovations, broad coalitions inclusive of many outside interest groups, and further reforms. However, other factors such as state policy, labor contracts, and constituent priorities, as well as personal factors such as the mayor's experience, leadership ability, and political aspirations, affect the results. A mayoral takeover in Milwaukee should be discussed in the context of the mayor's political future, past policy achievements and priorities, and working relationships with school stakeholders, the business community, and other groups.
- **Governance reform does not happen in a vacuum:** Political conditions, other educational reform efforts, and larger policy initiatives all interact with governance reform. Milwaukee will not be an exception. For example, the impact of school choice, charter schools, and decentralization efforts all would influence governance reform in Milwaukee.
- **There are nearly as many models for integrated governance (and mayoral takeovers in particular) as there are districts that have attempted governance reform:** There is no "right" or "wrong" way to structure or implement governance reform, as no one district can truly serve as a model for another.
- **The impacts of integrated governance on a district's fiscal stability are positive to mixed:** Mayoral takeovers can be effective in cutting administrative costs and increasing spending in the classroom. However, the portion of a district's revenues that comes as state aid and the

district's ability to renegotiate labor contracts may hinder those budget changes. A mayor's willingness and ability to reopen labor talks or garner sufficient state and local revenue seems determinative.

- **Integrated governance can result in some improvements in student performance, but not across the board:** Milwaukee certainly would welcome short-term improvements in student performance and higher graduation rates, both of which have been demonstrated to occur after governance reforms in comparable districts. However, the experience of other districts shows that local officials should not count on governance reform as a means of narrowing the achievement gap between high and low-performing schools.

The bottom line is that school district governance reform is messy, difficult work that requires repeated efforts over several years. In the end, governance reform may result in improvements in a district's fiscal condition, but may not have sustainable impacts on student achievement, especially of low-income and minority students.

## INTRODUCTION

The struggles of Milwaukee Public Schools (MPS) have been well-documented. Student performance has lagged in several key areas, with the system repeatedly coming up well short in meeting Wisconsin's state academic standards. Meanwhile, enrollment continues to shrink while budget problems continue to grow, a dangerous cycle that further threatens academic performance and efforts to improve it.

While the problems facing MPS have been deemed serious for several years, recently they have reached a new level of crisis. In the fall of 2008, amidst frustration with severe budget problems, the Milwaukee School Board voted to explore dissolving the district. That vote subsequently was reversed, but the fact that such a drastic step even was discussed by school board members has generated new calls for radical change in MPS governance, and triggered a study of MPS finances sponsored by the governor, Milwaukee mayor and local foundations.

Furthermore, MPS' failure to meet academic proficiency standards may itself necessitate consideration of radical restructuring. The 2007-08 school year will be the fourth consecutive year in which MPS has failed to meet state standards developed in response to the federal No Child Left Behind Act (NCLB). Wisconsin's accountability plan requires implementation of a restructuring plan to address the lack of student progress after a fifth year of substandard performance.

In light of the worsening and seemingly intractable problems facing MPS, it was inevitable that calls for governance changes again would take center stage in the deliberations of policymakers and civic leaders. And while discussion about such changes clearly is justified and important, a critical question is whether a change in governance should be contemplated as possibly *the* solution to MPS' woes, as simply one important piece of the puzzle, or perhaps as a side issue that may have merit for a variety of reasons, but that should not be counted on as a key factor in improving academic performance and solving the district's financial problems.

In this report, which was commissioned by the Greater Milwaukee Foundation, we attempt to provide insight into that question by discussing significant school district governance changes adopted in large, urban school districts throughout the country. While a primary area of focus is the experience of mayoral-led school districts, we also discuss other alternative governance approaches, including district dissolution and state receivership. And although our findings are not based on an in-depth analysis, this scan of similar districts does reveal interesting themes. As we explore the experiences of governance changes adopted in other cities, we also provide perspective on how those experiences might apply to the City of Milwaukee and its public schools.

# SETTING THE STAGE: RATIONALE FOR GOVERNANCE CHANGES IN SELECTED URBAN SCHOOL DISTRICTS

MPS, of course, is not the only urban school district that has contemplated radical change in governance as a means of addressing poor academic performance. This report analyzes the lessons learned in Washington, D.C.; Baltimore, Maryland; Detroit, Michigan; Cleveland, Ohio; and Omaha, Nebraska. Of the large, urban areas that have transformed their school district governance, these cities are most comparable to Milwaukee, allowing general conclusions to be reached that may be applicable to Milwaukee. As appropriate, other cities will be referenced in order to supply additional perspective.

**Table 1** provides city and school district demographic data for the five comparable school districts selected.

**Table 1: City and School District Demographics for Selected Comparables**

	Milwaukee	Washington D.C.	Baltimore	Detroit	Cleveland	Omaha
<b>City Characteristics (2007)</b>						
City population	582,207	588,292	637,455	808,327	395,310	374,344
% Under the poverty line	24.4%	16.4%	20.0%	33.8%	29.5%	14.7%
% Under 18 and fall under poverty line	34.8%	22.7%	28.2%	48.2%	42.5%	22.3%
% Minority	55.0%	63.7%	67.5%	89.2%	57.6%	21.0%
<b>School District Characteristics (2005-06)</b>						
Student population	92,395	59,616	87,643	133,255	58,788	46,686
% Minority	83.7%	94.6%	91.9%	97.5%	83.2%	55.9%
% Limited English Proficient / English Language Learners	6.7%	7.2%	1.5%	7.5%	4.6%	13.4%
% Individualized Educ. Plan	17.8%	19.7%	16.9%	14.2%	19.1%	16.0%
% District revenue from state	63.3%	0.0%	66.3%	64.4%	57.4%	36.0%
2007 District Status under NCLB*	INI3	CA	CA	CA	INI3	Satisfactory

\* This indicates the district's annual yearly progress (AYP) in meeting state standards set under NCLB. A district marked "INI3" has not met AYP for four consecutive years and has been deemed in need of improvement for three of those years. A district marked "CA" has not met AYP for at least four years and is in need of corrective action. "Satisfactory" indicates that a district has met AYP.

Lack of accountability, a poor fiscal position, and/or poor student performance were the primary rationales for significant governance reform in the school districts we examined. These problems are often intertwined and perpetual. For example, lack of accountability within a school system may cause mismanagement of funds, which in turn diverts resources away from efforts to improve student performance. This section sets the context in which district governance changes occurred in the selected school districts.

Washington, D.C. Research indicates that Washington has been plagued for years with perpetual problems of low student performance, an inadequate accountability structure, poor fiscal and record management, and failure to ensure that school facilities meet building codes. In 1994, just before a fiscal control board was appointed, Washington ranked last in reading on the National Assessment of Educational Progress (NAEP) exam when compared to all tested states.<sup>1</sup> The district maintained that poor ranking through 2007. (The NAEP exam is the only standardized national assessment for elementary and secondary education.<sup>2</sup>) The continued failure to improve academic performance led the public to vote for a mayor-led governance change in 2000 via referendum, caused the city council to pass legislation in 2004 returning the district to an elected school board, and resulted in the passage of congressional legislation in 2007 again establishing a mayor-led governance structure.

Our analysis indicates that the call for mayoral-led governance in Washington was based on the perceived need for an enhanced accountability structure that would place responsibility for district success squarely on one person's shoulders. Prior to appointment of a fiscal control board in the mid-1990s, concerns about student performance and district management were deflected by both the elected school board and the city council. The elected school board typically attributed poor performance to the city council for not providing enough revenue, while the city council blamed the school board for mismanaging the funds it did provide.

Baltimore Public dissatisfaction with student performance and district management fueled the urge to reform school governance in Baltimore as well. In 1998, despite having a mayor who emphasized his concern for education, the city's public schools met state standards in only two of 31 areas of student performance (Wong et al., 2007). Students scored low on the Maryland School Performance Assessment Program examination, and only realized modest gains from 1993 through 2000. A significant gap between the state average score and that of Baltimore's public schools continued throughout this period (Henig and Rich, 2004).

Governance reform followed four lawsuits that were based on alleged inadequate funding and poor management of the public schools. Two of the lawsuits developed in the mid-1990s stemmed from the state and city blaming one another for district failure. The city blamed the state for not providing sufficient aid to Baltimore public schools, and the state suit attempted to hold the city responsible for mismanaging district funds. A resolution of the lawsuits came in the form of a 1997 city-state partnership, under which the state increased funding for Baltimore schools and the city accepted the relinquishment of some power to the state.

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<sup>1</sup> Data was unavailable for Alaska, Idaho, Illinois, Kansas, Michigan, Nevada, Ohio, Oklahoma, Oregon, South Dakota, and Vermont.

<sup>2</sup> The method of data collection for the NAEP exam only takes a sampling of students within a state and does not yet provide district level assessments. While this does not prohibit analysis of student performance in Washington, D.C., it serves as a barrier when attempting to analyze all other district performance over time. Efforts are currently underway to begin the collection of district level NAEP scores.

*Detroit* Concerns revolving around the Detroit Public Schools' (DPS) declining student enrollment, mismanagement of funds, and low student performance caused the push for governance reform. From 1997-98 to 2007-08, DPS saw a 39 percent drop in student enrollment. According to a 2008 Michigan Senate Fiscal Agency report, a drop of this magnitude equates to a loss in state aid of approximately \$510 million over that period. Meanwhile, the state was strongly opposed to the manner in which the elected Board of Education managed school spending. Alleged evidence of mismanagement included contracts with the teachers union that frequently called for large pay raises that contributed to budget deficits (Hendrie, 1999); lagging student performance; and failure to implement critical infrastructure improvements despite a \$1.5 billion capital bond issue approved by the voters in 1994 (Bradsher, 1999). DPS also suffered from large class sizes, high truancy, and low graduation rates.

State-led governance and finance reform was largely seen as a method by which the state not only could exert control over district management, but also over the teachers union. Prior to the governance reforms of the mid-1990s, roughly one-third of the school district's funding came from the state. But after voters, mistrustful of the school board, failed to approve a sales tax increase to support public education in exchange for a reduction in property taxes, the state decided to force the issue by banning the use of property taxes for school financing altogether, beginning in the 1994-95 school year. This measure created a fiscal crisis that led voters to approve Proposal A in 1994, a school financing reform that decreased property taxes and increased sales taxes for the support of public schools. Consequently, state aid grew from 35 percent to 80 percent of the district's revenues, giving the state more control over DPS (Epple and Ferreyra, 2008). The new framework required the union to negotiate with the state to get more funding, debilitating union influence over the school board. In that same year, additional state legislation solidified prior law, denying labor unions the right to strike (Henig and Rich, 2004).

Despite these changes, problems persisted to such an extent that in 1999, a mayoral governance structure was implemented. Then, after voters deemed the mayoral takeover unsuccessful, the district returned to an elected school board in 2005. However, problems continue to persist today. Reductions in staffing levels continue to fall short of matching declines in student enrollment. A projected 2008 deficit began at \$408 million, but a two-year deficit reduction plan was proposed to reduce the deficit to \$104 million. The district intended to accomplish this by making several expenditure cuts, including hundreds of layoffs and several outsourcing initiatives (Mrozowski, November 1, 2008). Eventually, the inability of the school board to make adequate progress on the deficit reduction goal precipitated appointment of an emergency financial manager by the state to oversee district finances.

*Cleveland* Governance reform in Cleveland attempted to address high segregation, low student performance, and insufficient funds to correct these problems. From 1950 to 1990, Cleveland's white population decreased from 85 percent to below 50 percent, a result of "white flight" and the attraction



to private schools (Henig and Rich, 2004). In 1976, a federal judge found that the school district intentionally segregated its schools on the basis of race through its selection of sites for new construction and other policies. The school board's inability to correct for the problem of segregation caused several years of significant federal court involvement in district governance. In addition, the district experienced two teachers union strikes in 1978 and 1979 and faced significant drops in student enrollment as parents opted out of public education.

These problems accompanied severe problems of fiscal mismanagement. A 1981 Education Week article describes some of the questionable measures taken by the school board in order to manage finances, which included frequently engaging in the unlawful practice of funding operating expenses with monies intended for the repayment of construction bonds, opening schools late in order to push expenses to the following year, and utilizing \$40 million from Ohio's Emergency School Assistance Fund.

The situation was no better in the early 1990s. Only 33 percent of the 1991 eighth grade class graduated from high school four years later (Wong et al., 2007). A financial and management crisis led the district to accumulate a \$125 million debt in 1995 (Henig and Rich, 2004). The district's failure to follow through with a 1994 desegregation consent decree, improve student performance, and manage with the resources budgeted also obviated the need for governance reform. As a result, in 1995, a federal court order handed school district governance over to the state. A subsequent court order returned governance back to local control in 1998 under the authority of the mayor.

Omaha Discussion of governance reform in Omaha resulted from a need to equalize the resources going to districts in the metro region. As Omaha has grown, city boundaries have expanded into suburban school districts adjacent to the Omaha Public School (OPS) district, resulting in city residents attending suburban schools. The Omaha school district has argued that the city as a whole should follow a One City, One School District plan that would create a district that encompassed the entire city. In 2005, the Omaha school board and superintendent publicized their plan to annex schools within the city limits, flaring up boundary disputes with neighboring districts. The annexation effort was intended to stabilize the Omaha school district's tax base and provide the same educational access to OPS students as granted to those in surrounding districts. This initiative was ill-received by other districts, which questioned the impact of such an initiative on student performance in their own district as well as Omaha's. In response, the state passed legislation in 2005 that would have dissolved OPS, but the legislation received significant opposition and was never implemented.

## ALTERNATIVE GOVERNANCE STRUCTURES

A traditional school governance model consists of an elected school board to establish school district policy and adopt an annual budget, with a school board-appointed superintendent who serves as the top administrator. While the board handles broad policy development, the superintendent handles the day-to-day functioning of district schools. An elected school board typically operates with full autonomy, without policy or fiscal restrictions from other government entities.

A 2002 U.S. Census Bureau report indicated that approximately 92 percent of 10,787 school systems serving both elementary and secondary education acted as independent governments, while the remaining were agencies of local governments. Independent school districts typically establish their own budgets within limits specified by the state, determine capital improvement projects, and negotiate directly with the teachers unions.

The following provides information on alternative approaches.

### ***Dissolution***

Dissolution is the most radical approach to governance change. This approach is more common in rural districts, where a small district is dissolved and absorbed into one or more larger districts. Dissolution of large urban districts is rare. In either case, the impetus for dissolution often is to broaden the tax base by joining with surrounding districts.

Wisconsin The most recent Wisconsin dissolution occurred in July 1990, when the Ondossagon school district, with 520 students in 1989-90, was dissolved and absorbed into the neighboring districts of Ashland, Drummond, and Washburn. More recently, in July 2008, the Wausaukee School District, with 654 students in 2005-06, considered dissolution for fiscal reasons. However, the Wisconsin School District Boundary Appeals Board disallowed the dissolution after the Wausaukee district's voters passed a referendum approving an annual property tax levy increase of \$675,000, allowing the district to maintain operations.

Omaha Nationally, the only example found of an attempted dissolution of a large, urban district is Omaha, a district of approximately 46,700 students. In 2006, the Nebraska legislature passed legislation to create multi-district "learning communities" and allowed for the breakup of the Omaha public school district into three smaller districts. The intent behind the learning community, which would have been comprised of Omaha and ten surrounding suburban districts, was to broaden the tax base to even out fiscal disparities between districts. The law also allowed students to attend any school within the learning community, providing choices for parents and opportunity for increased integration. The existing Omaha district would have been divided along racial lines, creating one mostly white (70 percent) district, another mostly black (51 percent), and a third mostly Hispanic (48 percent) (Borja,

2006). Some feared the effect this would have on residency patterns as people moved into Omaha and selected housing based on district demographics. After significant opposition and the onset of litigation, the Nebraska legislature repealed the law that enabled the dissolution of the Omaha school district.

As noted above, district dissolution is typically an action taken by smaller school districts that have decided to combine with neighboring districts for financial reasons. This type of merger is likely to produce efficiencies, such as a reduction in administrative overhead. Instructional costs can decrease as well, provided that the merger does not result in significantly larger class sizes. However, transportation costs are likely to increase in light of the need to transport students longer distances. And, while combining districts has the effect of broadening the tax base supporting any one student, that overall tax base could be strained depending on the overall size of the newly combined district.

As Omaha’s experience shows, dissolving a large urban district is not only complicated, but it could exacerbate real or perceived racial inequities, especially in a city like Milwaukee with highly segregated housing patterns. It should also be noted that dividing the geography of the Milwaukee district into parcels that could be absorbed by suburban districts may restrict the choices of Milwaukee parents who have been able to choose from among MPS schools in almost any part of the city.

***Integrated Governance***

A more common reform in urban districts is integrated governance. The dynamics of integrated governance structures vary widely, but typically include the transfer of policymaking authority from a traditional elected school board to a structure that incorporates the influence of another entity, usually state or city leadership. The transfer of power usually allows the mayor, state, or both the ability to appoint school board members, hire a superintendent, control the budget, and make decisions regarding student curriculum and programs. The large, urban areas with a student enrollment of 25,000 or more that we know to have undergone an integrated school district governance structure reform (and the timeframe in which the reform was initiated) are as follows:

<u>Prior to 1990</u>	<u>1990 – 1994</u>	<u>1995 – 2000</u>	<u>2001 – Present</u>
Baltimore	Boston	Cleveland	Jersey City
Chicago	Compton	Detroit	Los Angeles
Philadelphia	Paterson, NJ	Newark	New York City
Providence		Oakland	
		Washington, D.C.	

There is no standard structure for a mayoral or state controlled school district. A paper presented at the 2007 annual meeting of the Southern Political Science Association entitled *Mayoral Takeovers in Urban Education: When, Where and Why?* reviews the structures of several districts that experienced a mayoral takeover. The findings show that mayors throughout the districts vary in their authority and

influence. In addition, the authors discussed the extent to which alterations to mayoral power occurred over time in each of these districts; in other words, it is very rare for an original governance reform initiative to not be modified or reversed in subsequent years.

A mayor's influence, of course, is significantly determined by the extent to which he or she must share governance with another elected official or body. Chicago is considered a model for mayoral school district governance, with the mayor granted full appointment power of a school board and chief executive officer (CEO); authority over budget decisions; and flexibility in procurement, contracts, and labor negotiations. That level of power and influence, however, is not seen in all mayoral school district governance structures.

The discussion that follows will elaborate on the changes in mayoral strength associated with integrated governance reforms initiated in Washington, Baltimore, Detroit, and Cleveland, the four districts we found to be most comparable to Milwaukee. The information in this section and accompanying tables shows that integrated governance is complex and varies significantly across districts. While integrated governance reforms differ significantly at the highest levels of authority, the differences also go beyond those discussed here. Other differences have been observed in lower level administration reforms and policy initiatives that occur as a result of the governance reform.

Washington, D.C. Mayoral control in Washington was first initiated in 2000, when voters approved a governance change that allowed the mayor to appoint four of the nine school board members, with elections determining the remaining five. This began the mayor's formal involvement in the school district's governance. However, with a mixed board, the mayor's ability to implement his own initiatives was hindered given that the majority of the board members were not accountable to him but to their own constituents.

Prior to this change, Washington had an 11-member elected school board. Though the board was an independent body that made policy and spending decisions, the city council determined the level of revenue that would fund the schools. Poor student performance and fiscal management and a lack of clear accountability led the state to intervene in 1995. The state put in place a fiscal control board that governed D.C. Public Schools (DCPS) for five years. During this period the Board of Education was significantly disempowered, its powers transferred to the new Emergency Transitional Education Board of Trustees. The increase in mayoral involvement initiated in 2000 was intended to reverse the troubled school system. However, the lack of progress under the new structure failed to produce sufficient results. This triggered legislation in 2004 that would have returned the district to an elected board by January 2009.

In 2007, Congress passed H.R. 2080, legislation that returned power to the D.C. mayor. This governance structure significantly empowered the mayor, more so than the 2000 reform. Instead of a mixed school board, the fully elected school board serves as a purely advisory body. The management of the schools

now falls directly under the mayor, and DCPS has become one of the mayor’s cabinet agencies. The city council, however, has the authority to approve the district’s budget. **Table 2** indicates how the composition of the district’s governance structure has changed throughout the years.

**Table 2: Governance structures of Washington, D.C. public school district**

Year	Legislation	School Board Total	Ward	At-Large	Appointed	Governance Center	Key Administrator(s)
1969	1968 D.C. Elected Board of Education Act, 1974 Home Rule Charter	11	8	3	0	Board of Education / City Council (revenue)	Superintendent
1995	Congressional Action					Emergency Transitional Education Board of Trustees (advisory)/ Board of Education (disempowered)	D.C. Financial Responsibility & Management Assistance Authority, Superintendent
2001	June 2000 Referendum	9	4	1	4 (2 students)	Mayor / Board of Educaiton	Superintendent
2004	2004 D.C. Council legislation	9	8	1	0	Board of Education / City Council (revenue)	Superintendent
2007	H.R. 2080 / 2007 Public Education Reform Amendment Act	9	8	1	0	Mayor / City Council (approves funding allocation) / Board of Education (advisory)	Chancellor / Deputy Mayor for Education (Office of the State Superintendent of Education / Chief Executive Officer)

*Baltimore* Baltimore’s city charter, established in 1899, gave its mayor full appointment power over a nine-member school board and significant authority over the operations of Baltimore Public Schools. However, the lack of student improvement and perpetual fiscal problems led the state to dramatically reduce the authority of the mayor. In 1997, a city-state consent decree was established that allowed for joint city and state school board appointments. In return for receiving a portion of the appointment power, the state agreed to give Baltimore \$254 million in additional operating funds over a five-year period and \$24 million in new construction dollars (Lohman, 1999). **Table 3** shows the differences in the two structures.

**Table 3: Governance structures of Baltimore public school district**

Year	Legislation	School Board Total	Ward	At-Large	Appointed	Governance Center	Key Administrator(s)
1899	City Charter	9	0	0	9	Mayor (considerable formal authority) / School Board	Superintendent
1997	1997 City/State Partnership	9	0	0	9 (Mayor & Governor)	Mayor / Governor / Board of School Commissioners	Chief Executive Officer (member of mayor's cabinet)

*Detroit* In 1999, Detroit’s mayor took over the governance of Detroit’s public schools with the passage of Michigan Public Act 451. Under this law, a seven-member reform board replaced the elected Board of Education. Of the seven members, the mayor appointed six and the State Superintendent of Public Instruction held the seventh seat as the governor’s representative. Though the mayor appointed a majority of the board, the governor’s representative yielded significant power in that he held veto power over the selection of a CEO. Also, school financing reforms at the state level and legislation restricting the teachers union’s ability to strike gave the state significant power over the district. As a further complication, while the board, with the governor’s approval, chose the CEO, the mayor had the power to dismiss its selection.

As outlined in **Table 4**, voters rejected a referendum that would have maintained the reform board and mayoral governance, returning the district to the governance of an elected Board of Education in 2005. Since that governance change, improvements in student performance and control over finances have not occurred. In November 2008, the school board approved a consent agreement requiring the district to resolve the district’s \$408 million deficit and address several other areas of poor performance. However, earlier this year, after the district failed to meet the terms of the agreement, the state appointed an emergency financial manager who was empowered with full authority over all the school district’s financial decisions for at least a year, including the ability to hire and fire staff, negotiate contracts, and close schools.

**Table 4: Governance structures of Detroit public school district**

Year	Legislation	School Board Total	Ward	At-Large	Appointed	Governance Center	Key Administrator(s)
1981	1981 Referendum	11	7	4		Board of Education	Superintendent
1999	1999 Michigan Public Act 451	7			7 (6 Mayor, 1 Governor)	Mayor / Governor / Reform Board (includes State Superintendent of Public Instruction)	Chief Executive Officer (unanimous approval of reform board)
2005	2004 "No" Vote on Proposition E	11	7	4		Board of Education	Superintendent
2009	State Action by Dept. of Education and Governor					Emergency Financial Manager / Board of Education (disempowered)	Emergency Financial Manager / Superintendent (disempowered)

Cleveland Of the four districts discussed in this report, Cleveland is the sole district that has maintained its mayoral governing structure reform, adopted in 1998. In this model, the mayor appoints all nine members of the Board of Education. The board, with approval of the mayor, selects a CEO, sets district policy, provides oversight of district finances, and determines the budget.

Cleveland originally had a seven-member elected school board. Due to the board’s inability to fulfill obligations of several desegregation orders, a federal court ordered alternative governing structures in 1981 and 1995, as shown in **Table 5**. In 1981, a federal judge ordered the creation of the Office of School Monitoring and Community Relations and appointed an Administrator of Desegregation. Though the school board had control over the district, the Administrator of Desegregation co-governed to some extent. The administrator had the liberty to make decisions as seen fit to carry out the unsatisfied desegregation orders, and to align employees and resources to accomplish this task. The extent to which the desegregation administrator influenced school policy and governed alongside the school board throughout the years preceding the 1995 state receivership is uncertain. A federal court ordered the state to take over the governance of public schools in 1995. The longstanding desegregation order and the order for a state takeover were lifted in 1998, returning the school district to local control under the governance of the mayor.

**Table 5: Governance structures of Cleveland public school district**

Year	Legislation	School Board Total	Ward	At-Large	Appointed	Governance Center	Key Administrator(s)
	Unknown	7	7			Board of Education	Superintendent
1981	1981 Federal Court Order	7	7			Board of Education	Administrator of Desegregation (court appointed) / Superintendent
1995	1995 Federal Court Order	7	7			Financial Planning and Supervisory Commission / Board of Education (disempowered)	State Superintendent of Public Instruction / Superintendent
1998	1997 House Bill 269 / 2002 Referendum	9			9	Mayor / Board of Education	Chief Executive Officer

As demonstrated throughout this section, mayoral takeovers do not fall under one definition. In each of the jurisdictions described above, the mayor has had a role to play but at differing levels of influence. It is difficult, therefore, to assess the impact that a mayoral-led governance structure in Milwaukee might have in improving MPS without knowing the specifics of the structure and the specific powers granted to the mayor. Those details, rather than mayoral involvement itself, often can determine the success of a mayoral governing structure.



# MAYORAL CONTROL: BENEFITS, LIMITATIONS AND IMPLICATIONS

Because enhanced mayoral control has been a common type of governance change pursued by large urban school districts – and because it is the alternative structure most commonly discussed in Milwaukee – we provide in the following section a more detailed discussion about the benefits, limitations, and policy implications associated with this approach. Though conclusions are drawn from several pieces of research, the small number of mayor-led school districts prohibits firm conclusions.

In theory, a mayoral takeover has several appealing aspects, including greater accountability, potential reallocation of resources between the city and school district, and opportunity for educational innovation. While these attributes may indeed foster school improvements, we also found that the political realities of a school district and the mayor’s office could limit or negate the anticipated benefits.

Most of the policy implications outlined below have lessons for Milwaukee should the district embark on an integrated governance reform approach that centers on mayoral control. While we focus on mayoral takeovers, there are also implications that arise from a state takeover, which are noted where applicable.

- **Accountability**

Some school districts have pursued a mayoral takeover in order to provide the public with a sole individual that can be held accountable for addressing the district’s problems. Washington, D.C., for example, as mentioned previously, lacked such an accountability structure, giving the responsibility for raising revenue to the city council and the responsibility for spending it to the elected school board. This scenario allowed the school board to blame the city council for not providing enough funding, and the city council to blame the school board for failing to properly manage the funds.

With a mayor in charge, that problem does not necessarily disappear. Mayors may not have complete control over budgeting and could still evade blame, rightly or wrongly. When state aid makes up a majority of school district revenues, as it does in Milwaukee, accountability could still be shifted by the mayor to another entity, in this case the state.

- **Resource Allocation**

A possible advantage of mayoral control is the potential ability of a mayor to reallocate resources from other municipal operations to the schools. That potential, of course, is dependent upon the priorities of the mayor in office and the financial health of other city operations.

Research has found that an integrated governance structure does not provide increased resources for a school district, but does produce greater fiscal discipline. Mayors who have assumed control of school districts have sought efficiencies and changed the composition of district resources, reducing administrative expenditures and moving those resources to instruction.

Resources are likely to be the source of much of the debate regardless of the type of governance reform that may be attempted in Milwaukee. Historically, city voters have been unwilling to support referenda to exceed state revenue caps. The most recent situation in which the district was able to increase spending, using bonds endorsed by the state, was during the Neighborhood Schools Initiative in the late 1990s. That initiative was the result of a coalition of Milwaukee legislators, the governor, and the superintendent seeking a creative solution to the district's capital needs. Would a mayor be similarly successful in obtaining increased state funds? Perhaps, although the mayor's advocacy for a change in the state funding formula to benefit Milwaukee taxpayers has yet to result in a policy change.

In other cities, where the school district budget is not distinct from the city's budget, there is opportunity for a mayoral takeover to result in efficiencies and shifts in funding sources between the two budgets. There may be some room for that in Milwaukee; purchasing or human resources in MPS and the city might be consolidated, for example. A legal analysis of the MPS and city charters would help shed light on the extent to which a mayoral takeover could take advantage of shared efficiencies.

- Reduced Local Control and/or Marginalization of Local Concerns?

The transition from an elected school board to an appointed board has repercussions for local control. In theory, the local election of school board members ensures adequate representation of constituent interests and concerns by allowing the performance and qualifications of members to be determined by voters. Conversely, it could be argued that the appointment of school board members by non-voters reduces citizens' ability to have their views represented by someone who believes as they do on school issues.

However, there is typically low voter turnout in school board elections, while voter turnout for mayoral elections is significantly higher. Consequently, some might argue that the full populace has greater say in the composition of the school board under a mayor-appointed approach by directly electing a mayor who reflects their interests and concerns.

The loss of local control argument may be more compelling when board members are elected to represent specific wards of the district. Under this structure, school board members are more likely to be responsive to the interests of their ward rather than the entire district. Board members elected at-large, on the other hand, serve the district as a whole and do not have such a narrow

ward-based focus. A mayor-appointed board would have some resemblance to the latter, as the mayor, like an at-large elected board, responds to the entire city/district. The concern is that certain constituents may be left out, as more powerful and resourceful constituents are best able to capture the attention of the mayor.

The mayor's desire to show immediate results to justify the takeover could also lead to a perception of marginalization of certain groups. Several articles have discussed the concern that mayoral takeovers lead to the disenfranchisement of minority students and low-performing schools. As discussed later in this report, this concern stems from fears that mayors direct more resources to high-performing schools to produce results that both reflect well on their leadership and reduce the number of middle-class students leaving the public school system.

In Milwaukee, either a mayoral or state takeover likely would invoke heated debate regarding the marginalization of MPS parents as voters, as they would no longer be a voting "block" as they might be in school board elections. For instance, parents in a school proposed to be closed have voted as a block in sub-district-level races for school board. This same block of voters would have much less of a voice in a citywide mayoral race or a statewide gubernatorial race. The fact that most MPS students are minorities creates larger implications for the marginalization of their parents as voters. The perception that a takeover is racist or paternalistic could emerge, particularly in light of the non-minority status of the current mayor and governor.

- Special interests and political influence

The centralized power of the mayor's office over a variety of government services may allow for the formation of broad coalitions involving a diverse set of interests to advocate for improved public education outcomes. This contrasts with school board members, who tend to deal with education alone and have limited influence with leadership in other sectors.

Some have cautioned, however, that certain powerful influences may be able to generate too much influence under a mayoral governance structure. Dorothy Shipps notes in her case study, *Chicago: The National "Model" Reexamined*, that in 1995, Chicago Mayor Richard M. Daley "defined success as the ability of the school system to attract middle-class families from the suburbs and maintain the confidence of corporate executives who might otherwise relocate." The coupling of education with economic development has been a significant piece of Mayor Daley's agenda. While this approach helps form coalitions, the voice of business can mute that of other stakeholders. Also, viewing education through an economic lens has shown potential to resolve fiscal and management issues, but it is not clear that it improves student performance.

The potential impact of mayoral control on the influence of teachers unions also is ambiguous. The general perception is that elected school boards are more subject to the influence of the teachers

union than a mayor-controlled board, and that conflict between unions and management typically is more severe under the mayoral approach. However, Chicago is an example where the union supported the mayor's education reform efforts. In that case, although the state legislation that enacted mayoral control stripped the teachers union of many previously negotiated rights<sup>3</sup>, Mayor Daley gained the union's support by restoring provisions established in previous contracts and establishing a new four-year contract. In contrast, in 1994, prior to Detroit's mayoral takeover, the state legislature passed legislation that stiffened the 1948 Hutchinson Act, which essentially eliminated public employees' right to strike. This significantly weakened a once powerful teachers union and cast the mayoral takeover as further weakening the union.

The impacts of integrated governance on the influence of the teachers union in Milwaukee are uncertain. The union could see greater influence under a mayoral or state takeover if the mayor or governor chooses to closely involve union leaders in decision-making. On the other hand, Milwaukee teachers, like parents, are likely to have less influence as voters under an integrated governance approach, and the considerable impact the union collectively has on local school board elections would be eliminated with an appointed school board.

- Educational Innovations

A mayoral takeover may or may not result in a climate of educational innovations and risk taking. Unlike school board members, a mayor also makes policy in areas other than education, and his electorate may prioritize other issues over education. A mayor whose voters value public safety, for example, may be more willing to take risks when governing the school district, as the mayor's performance on education issues may not be as closely scrutinized. However, if education dominates the minds of voters, a mayor may be less inclined to pursue innovations that are deemed risky in light of potential impacts on his or her re-election chances. For example, in 1992, Mayor Kurt L. Schmoke of Baltimore decided to conduct a pilot program that privatized the management of nine schools. An evaluation of this initiative found that student performance in those nine schools did not improve and the per pupil cost was higher than all other Baltimore schools. This initiative caused considerable political damage to Mayor Schmoke, though he was able to win re-election in 1995.

In terms of how this may play out in Milwaukee, there is some evidence of what might happen under mayoral control because the Milwaukee mayor has had control, along with the city council, of a set of schools for many years—those charter schools authorized by the city. Over the years, the number of applications by schools to become chartered by the city has declined. For example, in

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<sup>3</sup> A 2002 Crain's Chicago Business article notes that the 1995 reform bill allowed the teachers union to "strike over wages, hours, and working conditions. But exempt from any strike action are five categories: charter schools, privatization, job force cutbacks, classroom policies (schedules, student assessments, etc.) and experimental teaching programs."

1998, the first year the city was authorized to charter schools, there were 10 applications. In 2003, the year before the current mayor was elected, the city chartered five schools, but received no applications for new charters. Today, the city continues to charter five schools. (Table 4 below shows the eight schools chartered by the city since 1998, including the five currently open).

**Table 6: City of Milwaukee Charter Schools**

City of Milwaukee charter schools	Year opened	Year chartered by City	Year closed	Innovation
Khamit Institute	1996-97	1998-99	2003-04	Khamitic and African culture
Central City Cyberschool	1997-98	1999-00		Project-based, computer focused
Downtown Montessori Academy	1997-98	1998-99		Montessori
Darrell Lynn Hines (DLH) Academy	1999-00	2002-03		International Baccalaureate
YW Global Career Center	1999-00	1999-00	2002-03	Multi-disciplinary
Milwaukee Academy of Science	2000-01	2008-09		21st century curriculum
Academy of Learning and Leadership	2003-04	2003-04		Team relationships, community service
Maasai Institute	2005-06	2005-06	2007-08	Maasai African culture, ability-based learning

There are many possible explanations for this decline in chartering activity, and further research would be needed to determine the true cause. The city might have decided that overseeing schools was not a proper role within its mission, or it might have decided it was too costly or difficult. Another explanation could be that the city might have tightened chartering requirements in order to prevent unsuccessful schools from tapping into taxpayer funds, focusing instead on the most promising or innovative charter models.

The list of current and former city charter schools does include some innovative models, such as schools focusing on particular aspects of African culture, and the science and technology-focused Milwaukee Academy of Science. However, of the eight schools that have held charters from the city, five were in existence prior to becoming city charter schools. Arguably, the city's chartering process may reward innovation, but does not develop new innovative models. To be fair, parents in Milwaukee have long had a wealth of innovative schools from which to choose, from district specialty schools like Montessori, Waldorf, fine arts, and language immersion to charter schools focusing on at-risk or special needs children, to private schools with culturally-based curricula or military training. The city may have concluded that with innovation, more is less.

There is little reason to believe that the district, under the control of the mayor, would be any more innovative than it is currently. In fact, given the amount of innovation that occurs currently, there

seems to be a better chance that governance reform would result in greater alignment of school curricula and teaching methodology.

- Student Performance

Most of the governance changes we examined took place in the 1990s or early 2000s, and the lack of consistent testing data across those years prevents us from drawing conclusions about districts' improvements on standardized tests. Also, nearly every district changed its standardized tests once the No Child Left Behind Act became law, and the current test data is not comparable to older data. NAEP test results are comparable over time, but because NAEP is administered and reported on a statewide basis, the only district for which NEAP data is available is Washington, D.C.

Few studies have systematically tried to discern the performance outcomes associated with integrated governance reform. The details of governance reform, the context in which reform occurs, and the subsequent demographic, legislative, and leadership changes complicates the evaluation of whether or not the governance structure itself has produced or inhibited positive outcomes.

Research presented in a book entitled *The Education Mayor* attempts to assess the marginal effects that a change in institutional governance can have on student outcomes, controlling for outside socioeconomic factors, such as poverty and district funding. The authors lay out a quantitative, empirical analysis that tries to get at the connection between achievement and governance. The study includes a selection of 104 school districts that have both traditional and mayoral governance structures. Using school level achievement data from all the assessments developed by states in accordance with NCLB, the authors create a standardized achievement measure that shows the number of standard deviations a district falls above or below their own state mean.<sup>4</sup> This standardized measure allows for comparisons across all states.

The study found that mayoral controlled districts *can* have an impact on student performance. A governance change that gives the mayor power to appoint a majority of the school board can lead to some improvement in elementary reading and math scores. Limited data prevented the authors from making the same inference for high school student performance, but they have strong indication that similar positive achievement outcomes can result. According to this study, Detroit is the only district in which governance reform has not led to better student performance. Our analysis of average freshman graduation rates supports this finding. Of the four districts analyzed, Detroit is the only district that saw a decline in its graduation rate following a mayoral takeover,

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<sup>4</sup> This standardized measure could not be developed to incorporate Washington, D.C. since it stands as a lone district with no state mean by which to compare district achievement. Therefore, this study does not include Washington in the achievement analysis.

from 48.5 percent in 1999 to 45 percent in 2005.<sup>5</sup> It should be noted that while this study finds that mayoral takeovers can focus efforts and resources on improving student achievement, as measured by standardized test scores, the authors indicate that it is unclear as to whether or not the governance reforms they examined improved curriculum and instruction.

There is little evidence that shows positive impacts of an integrated governance structure on closing the achievement gap between high and low-performing schools. As discussed earlier, in order to show positive results from the governance change, mayors may focus resources on the better performing schools in order to show improvements on the aggregate. Research indicates that while there may be some increase in student achievement district-wide after a mayoral control initiative, the high-performing schools improve at a greater rate than those with low performance.

The potential for a mayoral takeover to result in increased focus mostly on highly performing schools is a concern that should be carefully deliberated in Milwaukee if it decides to pursue this approach. Fortunately, the MPS office of research and assessment has been classifying schools by attainment for several years. Each school is categorized as either high or low attainment and as either improving or not. It could be argued that schools that are low attainment and not experiencing improvements are of most concern regardless of the governance structure. At the other end of the spectrum are the few schools that are high attainment and improving—these would be the ones that should be closely watched under a mayoral takeover, to ensure they are not treated more favorably than other schools

With regard to the potential of a mayor-controlled district to improve student achievement in general, the city's track record with its charter schools may be illustrative. The city charter schools tend to score lower than MPS charter schools on standardized tests, and in many cases score lower than the MPS district average. The Forum found in 2000-2001 that the three city charter schools with scores at that time had national percentile rankings below all other public schools in the city on 4<sup>th</sup> and 8<sup>th</sup> grade tests. Two years later, we found only one city charter school scored above the MPS average. We also found that the minority achievement gap in city charter schools was larger than in MPS (Public Policy Forum, 2003). We did not control for student income, race, prior performance, or any other demographic characteristic in those two studies. See **Table 5** below for the most recent test score data for city charter schools.

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<sup>5</sup> The average freshman graduation rate is based on data taken from the National Center for Education Statistics (NCES) and our own calculations.

**Table 7: City of Milwaukee Charter School Test Score Data (Percent of Students Scoring At or Above Proficient), 2007-2008**

School	Year	3rd		4th		5th		6th		7th		8th		10th	
	Chartered	Reading	Math	Reading	Math	Reading	Math	Reading	Math	Reading	Math	Reading	Math	Reading	Math
Academy of Learning and Leadership	2003	11%	11%	0%	5%	16%	16%	43%	15%	26%	13%	44%	20%	*	*
Central City Cyberschool	1999	62%	46%	66%	61%	30%	55%	50%	38%	66%	57%	45%	38%	*	*
Darrell Lynn Hines (DLH) Academy	2002	63%	20%	41%	27%	74%	38%	81%	29%	50%	27%	63%	39%	*	*
Downtown Montessori Academy	1999	100%	86%	100%	84%	*	*	*	*	*	*	*	*	*	*
Maasai Institute	2005	*	*	*	*	*	*	*	*	*	*	*	*	19%	16%
MPS	--	58%	48%	59%	50%	63%	47%	60%	42%	60%	39%	58%	38%	38%	27%
UWM Charter Schools	--	52%	41%	56%	47%	59%	48%	66%	48%	70%	47%	64%	44%	54%	31%
State of Wisconsin	--	89%	73%	80%	76%	83%	75%	84%	75%	84%	76%	84%	75%	74%	68%



## CONCLUSION

The details of governance reform, the context in which reform occurs, and the subsequent demographic, legislative, and leadership changes complicate the evaluation of whether or not the governance structure itself has produced or inhibited positive outcomes. Reviewing student performance and education funding trends throughout the years does not necessarily make apparent the impact of a governance change. Changes in the trends could come from a multitude of sources that have nothing to do with a governance change and may have occurred without such a reform.

However, we have developed several findings based on our review of the relevant literature, analysis of district-level data, and prior research on Milwaukee schools. Though this is not an in-depth analysis, the insights we have found from reviewing several sources of information sheds light on the potential benefits and drawbacks of integrated governance and district dissolution.

- **Governance reform does not happen in a vacuum.** All education reform efforts should be viewed in context of other concurrent reforms, and governance reform in particular should be considered a gateway to other potential reforms, not an end in and of itself.
  - Implications for Milwaukee: Many reform efforts have been pursued in Milwaukee over the past decade, including school choice, charter schools, decentralization, and neighborhood schools. Dramatic change to the governance structure of the district has not been attempted to date, perhaps because of the unknown impact it would have on these other reform efforts. Stakeholders and advocates of these other efforts may fear that focusing governance in one person could roll back some of these efforts. For example, a strong single leader may favor centralization of budgetary, hiring, and curricular decisions, which would be the reverse of the decentralization trends in those areas in recent years. Similarly, a desire to make schools more uniform could impact parental choice within the district and cause more parents to seek other mechanisms for choice, such as the voucher program, charter schools, or open enrollment in suburban schools. On the other hand, having outside leadership may result in breaking through entrenched stalemates to achieve new reforms as yet un contemplated.
- **Dissolution of large urban districts is rare.** Omaha is the only large district we found to have contemplated dissolution and enacted enabling legislation. However, concern about the potential for resegregation resulted in the repeal of the legislation.
  - Implications for Milwaukee: While dissolution may be attractive as a means to combine the urban tax base with the surrounding suburbs, as Omaha’s experience shows, dissolving a large urban district is not only complicated, but it could exacerbate real or perceived racial inequities. It should also be noted that dividing the geography of the Milwaukee district into

parcels that could be absorbed by suburban districts may restrict the choices of Milwaukee parents who have been able to choose from among MPS schools in almost any part of the city.

- **There are nearly as many models for integrated governance (and mayoral takeovers in particular) as there are districts that have attempted governance reform.** Because these models vary so substantially, evaluation across districts is difficult and findings should be interpreted with caution.
  - Implications for Milwaukee: There is no “right” or “wrong” way to reform a district’s governance structure. With further research, policymakers may be able to design a new model for Milwaukee that borrows only the most successful elements from other districts.
- **Integrated governance reform happens over years and may occur in several incarnations.** The most striking finding from our review of other districts is the number of iterations of governance reform most have experienced. It appears that this type of reform may either require implementation in phases, constant revisions, or may not be sustainable over long periods. Further research would be needed to determine the exact causes of the repeated reform efforts in other districts.
  - Implications for Milwaukee: The current discussion about the future of MPS should be recognized as only the beginning of a long process. Even if substantial governance reform is attempted or achieved, it likely will not be the end of the story. The lessons taught by other districts indicate progress may unfold over several chapters.
- **Mayoral takeovers concentrate accountability in one leader, which has the potential to produce education innovations, broad coalitions inclusive of many outside interest groups, and further reforms. However, any mayor’s ability to achieve these benefits is dependent on outside factors** such as state policy, labor contracts, and constituent priorities, as well as personal factors such as the mayor’s experience, leadership ability, and political aspirations.
  - Implications for Milwaukee: A mayoral takeover in Milwaukee should be discussed in the context of the mayor’s political future, past policy achievements and priorities, and working relationships with school stakeholders, the business community, and other groups.
- **The impacts of integrated governance on a district’s fiscal stability are positive to mixed,** according to the research. The biggest determinate is whether the new governance structure must rely on another entity for a major portion of revenue. A state takeover could theoretically result in more revenue, while a mayoral takeover may enable some efficiencies to be achieved in collaboration with city departments. It is clear that there is no guarantee a mayoral takeover would cause an influx of state aid to the district. Some other districts have found that after a mayoral takeover, per-

pupil spending on administration decreased while spending on instruction increased. In some districts, governance reform efforts were coupled with new state policies regarding labor negotiations, which enabled reformers to incur savings in personnel costs.

- Implications for Milwaukee: A mayor taking over MPS under the current funding formula would be reliant on the state for most of the district's revenue, but would not have much say in determining the amount of aid. Whether or not the mayor felt that state aid was sufficient could impact his effectiveness, as well as his willingness to be held solely accountable for results. In addition, the mayor (or the governor in the case of a state takeover) may or may not be willing to reopen contract talks with the teachers union and may or may not be willing to ask the union for concessions.
- **The available evidence shows integrated governance can result in improvements in student performance, and our analysis of graduation rates echoes this finding. However, the achievement gap between high and low-performing schools has not been shown to improve under a mayoral takeover.** In addition, short-term improvements in standardized test scores may not have as much to say about student learning as they do about teaching test-taking skills.
  - Implications for Milwaukee: Due to data limitations, we were not able to confirm findings about achievement gap impacts independently, but note that this would be of particular cause for concern in a low-performing district like Milwaukee.

The bottom line is that school district governance reform is messy, difficult work that requires repeated efforts over several years. In the end, governance reform in and of itself may result in improvements in a district's fiscal condition, but may not have sustainable impacts on student achievement, especially of low-income and minority students.

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