



Guiding Principle 9:



Update K-12 Governance

Michigan must reform K-12 governance as part of developing a coherent P-20 governance structure that ensures the public education and higher education marketplace produces high outcomes, equity, efficiency, innovation, and collaboration.

Photo taken at City High Middle School
in Grand Rapids



Rationale

Governance defines who is in charge and how decisions are made. In Michigan's education system, a wide range of entities—from teachers and principals to the SBE and Governor—has authority over many of the same policies and practices. At its best, this creates robust debates on best practices with collaboration toward a shared goal. At its worst, it causes conflicts or disconnects, creating incentives for educators to metaphorically—and literally—shut the classroom door and work independently without shared goals.

As detailed throughout this report, Michiganders need high-quality learning to succeed in a global economy. This includes early childhood developmental support at home, in child care settings, and in pre-K centers. It continues in K–12 schools through postsecondary institutions.

Michigan's current structures are failing to meet the needs of every student in our state, and the strategies outlined in this report must be supported by a better, and different state and local governance structure. Our current education governance structure has evolved over a century and has been periodically updated (by consolidating districts or creating ISDs) to respond to new demands. It has not, however, been reviewed and redesigned to meet new 21st century expectations.

These recommendations are a starting point to address Michigan's most pressing issues in K–12 governance. They should not limit future governance discussions as Michigan continues to create a true P–20 system. For a P–20 system to exist in practice and not simply on paper, policymakers must regularly consider how policies incentivize collaboration or create barriers to a connected system. Through those ongoing discussions, our system will continue to evolve to meet our needs.

What does a 21st century Michigan look like?

Michigan has built a coherent P–20 governance system. All education stakeholders have clear roles and authority, working together to implement a shared vision for a learner-centered education system. Much has been done to improve coherence in the K–12 system. The Governor has clear authority and responsibility for Michigan's education system. The Michigan Department of Education is well-equipped to help teachers, schools, and districts improve, and regional educational

service agencies are well-positioned to provide quality, efficient services to districts. Across the state, some local school districts choose to voluntarily consolidate to create higher levels of capacity and efficiency.

Students and families have access to a seamless experience appropriate for children from birth through graduation with a postsecondary credential. They understand the educational options available to them and know how to pick the path that best fits their needs. All of the options are high. All children are able to successfully access a high-quality learning

environment that meets their needs. Educational decisions are made based on what is best for the student. Different providers collaborate easily, and there is clear agreement about how such collaborations are funded, supported, and monitored. Each provider is governed by a knowledgeable board and it is clear who is accountable for results. Similar educational providers are held accountable for the same outcomes, and data about performance against these metrics is publicly available.

What does Michigan look like now?

Michigan's K–12 public education system has been governed and structured in largely the same way since the 1960s. The State has responsibility for education, and this responsibility is shared among the Governor, Legislature, and the SBE. The board of education was created in the constitution to provide “leadership and general supervision” over public education, excluding institutions of higher education that grant baccalaureate degrees.¹⁴⁰ This includes selecting a superintendent of public education (who oversees MDE), serving as the general planning and coordinating body, and advising the Legislature of the resources required to support the system. The Legislature is then charged with maintaining and supporting a system of free public elementary and secondary schools.¹⁴¹

Local school districts and public school academies (often called charter schools or PSAs) are responsible for the day-to-day business of educating students within the framework defined by the state. Each is governed by an independent, elected school board for local districts or a PSA board

appointed by charter school authorizers. There are currently 540 local school districts and 302 public school academies in Michigan.¹⁴² The state also created intermediate school districts to support activities such as coordinating special education and career and technical education, providing professional development, and consolidating back office support. Michigan currently has 56 ISDs.

At the higher education level, community colleges are supervised and controlled by locally elected boards with funding provided by the Legislature and local property taxes. Twelve of the state's 15 public universities are governed by boards filled by gubernatorial appointment. Three public universities—Michigan State University, University of Michigan, and Wayne State University—are governed by eight-member boards that are elected on a statewide basis.¹⁴³ While the Legislature is charged with appropriating money to support universities, the Legislature cannot pass legislation setting policy for them.

At the early childhood level—especially from prenatal until a child enters kindergarten—governance structures vary on a program-by-program basis. The MDE Office of Great Start was created by executive order in 2011 and is charged with coordinating services and investments. Great Start Collaboratives aim to do the same at a regional level.

This complex system creates silos that are difficult for students and families to navigate. It makes it challenging to adopt a shared vision and implement long-term strategies, and, in an era of declining enrollment, the system is unsustainable.

Measuring Success

While we implement these strategies, we must track progress and outcomes by asking questions such as:

- Are roles and responsibilities clear?
- Do students, families, and community members know who is responsible?
- Does our system have the right capacity for the number of students in our state?
- Are all educational offerings high quality?
- Do students and families have the tools necessary to select the educational options that are best for the student?

Key Strategies

- 9.1 Reform state board of education governance
- 9.2 Enhance the function and capacity of the Michigan Department of Education
- 9.3 Reconceptualize the structure and function of intermediate school districts
- 9.4 Support local efforts to consolidate
- 9.5 Ensure access to high-quality educational options for all

9.1–Reform State Board of Education Governance

Ask voters to decide how best to align state education policy with accountability through the Governor.

Details

To align state education policy with accountability through the Governor, there are several options that could provide a suitable outcome: place a constitutional amendment on the ballot to allow the Governor to appoint the members of the SBE, allow the Governor to directly appoint the state superintendent and then abolish the SBE altogether, or expand the membership of the SBE and change the election process to include gubernatorial appointments.

Rationale

At the state level, the Governor, Legislature, MDE, and SBE all, to varying degrees, direct state policy. The SBE was created in the 1960s to provide leadership and supervision over public education and make recommendations to the Legislature on the financial requirements for the institutions. This SBE structure acknowledged the importance of education and sought the benefits of insulating education decisions from day-to-day politics through long-serving (eight-year terms) members overseeing a professional superintendent and department of education. SBE members are nominated at party conventions and elected in statewide elections.

While well-intentioned by its architects, accelerating political forces do not allow the SBE to play its independent education policy leadership role. Education has risen to the top, or near the top, of state political and policy agendas. Governors and legislators are increasingly active in seeking to set and further education policies and practices. This can be a very good thing, as education is so important to state and personal economic opportunity that it should be a policy priority. However, it can be a bad thing if policies and practices being advanced are destructive, ideologically-motivated, or otherwise damaging to education.

While at one time a Legislature and Governor might have been content to accept the SBE's recommendations for educational policy and, crucially, its recommendations concerning the resources needed to implement them, that is no longer the case. Legislators seek to use their power of the purse to dictate education policy to the SBE; likewise, Governors propose an education budget and, looking to implement their own vision for education, remove powers from the SBE by executive order.

Any change to the composition and structure of the Michigan State Board of Education requires a change to the Michigan Constitution which requires a vote of the people. No top-performing states who have a state board of education choose their state board members through a party convention.¹⁴⁴ Therefore, the Commission proposes allowing voters to choose between the following models:

- **Allow the Governor to appoint members of the board of education, and allow the SBE to then hire the state superintendent.** SBE members would be appointed to staggered eight-year terms. This change would create greater alignment between the agendas of the Governor, Michigan State Board of Education, and MDE. It would also insulate education policy from the dramatic sea changes when a new governor takes office. It would encourage stability and continuity—something the field is clamoring for in the current environment.
- **Allow the Governor to appoint the state superintendent and abolish the SBE.** This would make MDE another cabinet agency with clear accountability through the executive branch. This approach recognizes that the Governor is in charge of education and the public has clear accountability measures if they are not pleased with the outcomes.
- **Expand the SBE and change the election process.** Expand the SBE through a number of appointments by the Governor and remove the party convention nomination process by which the elected members are chosen. Elected SBE members should run through a primary—possibly on a nonpartisan ballot as judges do. Additionally, the Legislature may consider conducting these elections on a regional basis.

Potential Responsible Party

The Legislature must vote to place this policy before Michigan voters.

9.2—Enhance the Function and Capacity of the Michigan Department of Education

Enhance MDE’s capacity to support effective learning, teaching, and leading across the state.

Details

Michigan must enhance MDE’s capacity to help teachers, schools, and districts improve. We must also situate education functions that are currently performed by a range of state agencies within the department.

Rationale

To support the policies and practices outlined in this report, Michigan must dramatically reshape our department of education. Evidence from high-performing systems suggests that an effective department of education provides leadership on a range of education-related topics and is responsible for developing, aligning, and implementing effective policies at scale.¹⁴⁵

We must expand MDE’s personnel and expertise to provide a substantive focus on improving learning, teaching, and leading. This includes strategies outlined in the second guiding principle, such as identifying and sharing evidence-based practices and designing and executing statewide capacity-building efforts.

A critical component to this redesign is a renewed focus on recruiting top talent to work at MDE. If the department is to be a leader in instructional practices and school improvement, it must have an accomplished staff—like the master teachers discussed in 1.2—with deep expertise and experience in serving students and schools. Currently, there are policies that deter top talent from pursuing opportunities at MDE. These policies—particularly those related to compensation—must be reconsidered to build the staff necessary to perform these functions.

In addition, we must eliminate the fragmented state-level approach to education and centralize state functions in MDE. Michigan governors have wanted direct control of key education functions. To achieve this, they have moved education functions to state agencies under their purview. Key Strategy 9.1 works to address that concern by giving the Governor direct oversight of MDE through one of two proposed changes to the state constitution that would be put on the ballot. The current and previous governors have assigned education-related tasks to Departments of Licensing and Regulatory Affairs; Technology, Management, and Budget; and Treasury. This fragmented system must be reshaped in light of a new governance structure. Making this change will help to create the aligned, coherent state leadership we need to help our students excel.

The Michigan State School Reform/Redesign Office (SRO) exemplifies how an enhanced MDE could tackle some of our state’s biggest educational challenges. The SRO is charged with identifying, supporting, and closing schools in the bottom five percent of performance. This office

was moved from MDE to the Michigan Department of Technology, Management, and Budget in 2015 because this function was important to the Governor and he did not have the ability to directly control it within MDE. Per this recommendation, the SRO would be moved back to MDE.

Potential Responsible Party

The Legislature must authorize additional staff and realign state functions. MDE must reorganize to prioritize improving learning, teaching, and leading.

9.3–Reconceptualize the Structure and Function of Intermediate School Districts

Rename, reconfigure, and reassign tasks to intermediate school districts.

Details

Michigan must rename, reconfigure, and reassign tasks to intermediate school districts to enable high-quality and economically efficient delivery of services to students. Critically, this change in roles can only take place after the changes to the SBE and MDE outlined above are implemented so there is alignment and coherence in the state’s system.

Rationale

Michigan’s 56 intermediate school districts are misnamed. While ISDs have historically served as an intermediary between the state and local districts, this role often requires that ISDs serve multiple masters and perform multiple, sometimes contradictory, roles. Uniformly, ISDs should be renamed regional educational service agencies. This name represents a redefined role and clarifies that they are essential to providing customized and efficient services, when needed, to local districts.

In order to facilitate higher levels of effectiveness and efficiency, RESAs are necessary to support Michigan’s many school districts. Customizing regional help is essential and school boards should tap services rendered by RESAs for reasons of efficiency, effectiveness, and expanded learning opportunities for students.

We believe that:

- The boundaries and size of RESAs need rationalizing. In order to ensure sufficient capacity and efficient use of resources, there should be a minimum number of districts (including traditional school districts and PSAs) and students served. Geographical consideration must also be given and exceptions may be allowed for sparsely and densely populated areas. Key differences in tax structures between existing ISDs will need to be addressed to achieve this.
- RESAs should be in the service business. Local districts (including charter schools), early childhood providers, and MDE should be able to purchase services from RESAs.
- RESAs should not be regulators. Local districts must be confident that they can be honest about the areas they are struggling in without fear of a compliance finding. There may be some necessary exceptions, such as when ISDs authorize charter schools, but regulatory function should be the exception, not the rule.
- RESAs must ensure that all local districts in their service area have access to quality early childhood services, career and technical education, special education (birth through age 26), professional development, postsecondary planning services, and transportation. These

services may be provided by a district itself, purchased from another local district, or purchased from the RESA.

- Local districts with capacity to deliver high-quality services in one or more of these areas should not be required to purchase services. In financial or academic emergencies, however, MDE may require districts to purchase services from RESAs.
- The public should have a reasonable and clear expectation of the roles played, consistently and statewide, by RESAs. We acknowledge that needs vary by region and district size, and RESAs should be responsive to these needs.

Potential Responsible Party

The Legislature must create protocols for rationalizing the boundaries of ISDs and redefining their roles. RESAs must also take the lead in reorganizing their operations.

9.4—Support Local Efforts to Consolidate

Eliminate barriers and offer incentives to support local voluntary efforts to consolidate traditional school districts.

Details

Michigan must support local efforts to consolidate by revisiting existing laws and regulations regarding the consolidation process, changing unnecessary barriers, and offering incentives for local districts to voluntarily consolidate.

Rationale

In an era of declining enrollment, Michigan has too many seats for the number of students we serve. Statewide, the number of students enrolled in public schools has dropped 13 percent since its peak in 2002–2003, and it is continuing to drop. Nearly two thirds of traditional school districts experienced a decline in enrollment between 2014–2015 and 2015–2016.¹⁴⁶ This decline has created significant financial challenges for local districts because funding is directly tied to the number of students served. In an effort to balance budgets, local districts use their fund balance and cut programs to rebalance the budget. Some districts have also considered consolidation as an option to maintain quality services for students in an era of declining enrollment and increased financial stress.

Consolidation is a difficult, emotional process. Conversations with local superintendents suggest that community pride, a desire to have their own local schools, and racial composition of districts make consolidation a hard sell locally. Too often, however, promising local efforts are stymied by state rules regarding debt, facilities, and more. The Legislature must revisit existing rules and regulations related to consolidation and determine if the process creates a necessary protection or a bureaucratic barrier. In addition, the Legislature should continue to fund grants to assist in this process and consider incentives to encourage more districts to reconsider how public education services are delivered and administered in their community.

Other states have opted to structure their school districts much differently than Michigan. Our state has 540 local school districts that—together with 302 charter schools—serve 1.5 million students. Maryland and Florida, however, have countywide school districts. Maryland has nearly 850,000 students attending 24 districts.¹⁴⁷ Florida serves 2.8 million students in 67 county school districts.¹⁴⁸

Potential Responsible Party

The Legislature must revisit statute to make these changes and allocate funding to support grants and incentives.

9.5—Ensure Access to High-quality Educational Options for All

Michigan must manage its public education system to ensure that all schools are high quality and that every student has access to a high-quality school, including traditional public schools, cross-district choice, charters, and online learning options.

Details

Michigan must develop policies that promote high-quality educational options for every child in every community across our state.

Rationale

Students and their families across Michigan have choices when deciding where and how they will learn. Roughly one in six students participate in public school choice. More than 146,000 Michigan students now attend charter schools, and over 123,000 students attend classes in a traditional public school systems outside their neighborhood school district—18 percent of the K–12 student population.¹⁴⁹ Across the state, more schools are fighting to attract a declining number of students, challenging academic quality and creating fiscal pressure in some schools and districts. As a state, we must create policies that ensure access to an educational option while respecting school choice, demanding quality, and addressing fiscal realities.

While the Commission was unable to achieve consensus on the policies to achieve those goals, Commissioners agree that we must act. We believe:

- Michigan’s policies and governance structures must acknowledge that students across the state participate in a choice environment. Policies must also recognize that students have different educational and social-emotional needs.
- Michigan has too many seats in an era of declining enrollment, but it does not have enough quality seats.
- Michigan’s expansion of school choice has resulted in improved outcomes for some students, but has not yet been an effective strategy to improve achievement for all students.
- Some communities have too many choices, while others have too few quality options. Michigan has not yet performed a needs assessment to determine the number of quality seats that are needed and where they are needed.

This report includes many strategies that will dramatically improve learning across all types of schools. For example, families must have access to quality information about school performance to make the best decision for their child (as discussed in the fifth guiding principle). Schools and educators must be supported to implement best practices (as discussed in the second guiding principle). We must recognize that when students have increased needs, they need more intensive services that cost more to implement (as discussed in the third guiding principle). We must also

landscape. We were not able to achieve consensus on the best path forward, but offer these ideas to inform future debate.

- *Create a statewide needs assessment.* MDE should undertake a statewide community needs assessment, looking at both the quantity and quality of schools offered in a community.
- *Provide stable and predictable funding for school districts in a choice environment.* Michigan should follow the example of high-performing states (Massachusetts/Minnesota) through policy, whereby if a district loses a student through choice or attendance at another public school district, they do not lose the student's whole foundation grant, or it is phased out over time rather than immediately. This weighting provides time to right-size district costs.
- *Improve transportation.* For too many families, transportation limits their ability to exercise school choice with access to quality options. The state should explore how to address this access barrier and allow families from all socioeconomic levels to enroll in the school that best meets their child's needs—including examining the use of existing public transportation systems.
- *Create the New Schools Certificate of Need Commission.* As this report has demonstrated, Michigan has too many seats given the number of students in our state, and communities too often lack quality seats. To ensure that public dollars are spent wisely and that impacted communities have input on all new schools in their area, Michigan should create the New Schools Certificate of Need Commission to set the criteria by which a new school would be permitted to open. While local school boards and charter school authorizers currently debate the need for a new school, this Commission would provide a state-level review that would conduct an independent needs assessment and consider the new school's impact on the broader community. Commissioners serving on the 21st Century Education Commission differed significantly on this proposal for many reasons, including in their opinion of who would serve on the New Schools Certificate of Need Commission and which new schools would be required to participate.

To be clear: None of these ideas garnered the support necessary to be included as recommendation. They are offered here to enhance future policy debates.

Potential Responsible Party

The Legislature must develop policies that promote high-quality educational options for every child in every community across our state.