

# FOCUS *on Governance in K-12 Education:*

## *Local-Level Models*

# SREB

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America has roughly 15,000 local boards of education, with nearly 95,000 school board members. Within the general laws and policies of every state, each local school board is tasked with the operation, control and supervision of the K-12 public schools in its district. The board sets the vision for the local school system and translates its goals into rules for the school system. With that vision framed, local superintendents are responsible for implementing board policies, operating local schools and supervising the instruction of students.

Although the mission of all local school districts is basically the same, state statutes authorize minimum standards for local boards and local superintendents to operate. Local laws in each state's school districts also may impose more rigorous standards within which their local boards and superintendents function. Hence, how states organize their school districts and select their local education leaders varies from state to state — and even within states.

### Counties define the most common type of school district

Thirteen SREB states use counties (called parishes in Louisiana) to define at least one type of local school district. Among these states, Florida and West Virginia use county boundaries alone to identify school districts. Nine of the states — Alabama, Georgia, Kentucky, Louisiana, Maryland, North Carolina, South Carolina, Texas and Virginia — use both county and city boundaries to specify “city” or “county” districts. Independent districts in Kentucky correspond to small town or city boundaries. The remaining two states — Mississippi and Tennessee — use county and city lines in addition to other unique district boundaries. (See Table 1.)

Tennessee has what are called “special districts.” The state's city and county districts are dependent on the city or county commission, respectively, to levy taxes to fund local school systems. In contrast, special districts are creations of the Tennessee General Assembly and rely on the General Assembly to raise funds for schools by passing legislation to increase property taxes.

Mississippi uses county and city districts as well as special and consolidated districts. Mississippi's special districts are unique only in name when compared with county and city districts, while consolidated districts combine two or more local school boards to provide better services to students.

Three SREB states — Arkansas, Delaware and Oklahoma — use other types of district lines. Arkansas and Delaware designate physical boundaries, distinct from city and county lines, to create school districts. In Oklahoma, too, physical boundaries do not correspond to city or county

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Table 1  
Types and Number of Local Public K-12 School Districts, 2008

State	Types of District	Number
Alabama	City and County	133
Arkansas	District	254
Delaware	District	19
Florida	County	67
Georgia	City and County	180
Kentucky	County and Independent	174
Louisiana	City and Parish	68
Maryland	City and County	24
Mississippi	City, County, Special, Consolidated	152
North Carolina	City and County	115
Oklahoma	Dependent and Independent	540
South Carolina	City and County	85
Tennessee	City, County and Special	136
Texas	City and County	1,033
Virginia	City and County	134
West Virginia	County	55

Sources: State legislative and governors' staffs, state school boards associations, Education Commission of the States and National Center for Education Statistics

lines. Oklahoma districts are called “dependent” or “independent.” Dependent districts have only elementary and middle grades schools, while independent districts also include high schools.

## Local school board members are typically elected in SREB states

### *Powers and duties*

Historically, local school boards were budget overseers and advocates for their local communities. Now, with a focus on student performance, local boards are playing a major role in developing the school district’s vision and increasing student achievement.

Local school boards are authorized to act based on the language included in state statutes, which establishes the board’s role as the general administrator and supervisor of a local public school system. Essentially, school boards approve school budgets, monitor district finances, schedule the school calendar, determine school hours and endorse the hiring of personnel. The boards also are authorized to approve curricula, purchase liability insurance, issue bonds, purchase and construct school buildings, and provide student transportation.

In addition to these common responsibilities, other examples of board duties are included in the state statutes of some SREB states. For instance, Arkansas, Mississippi and Tennessee statutes authorize local boards to visit classrooms at least once a year. In Florida, boards have the power to assign students to schools. Louisiana authorizes its boards to develop a plan for using metal detectors for random weapon searches. Mississippi's boards have the power to implement financial literacy programs for students in grades 10 and 11. Provisions in North Carolina's statutes allow boards to promote and encourage recycling programs as well as refer students who have dropped out of school to appropriate services, such as extended day programs or the community college system.

*Selection of members*

The method for selecting local board members varies among the 16 SREB states, although most members are elected. In eight states — Arkansas, Florida, Georgia, Kentucky, Louisiana, Oklahoma, Tennessee and West Virginia — all local board members are elected. (See Table 2.)

Table 2  
**Number of Local Boards of Education with Elected  
 and Appointed Members, 2008**

State	Elected	Appointed	Elected and Appointed on Same Board
Alabama	87	46	
Arkansas	254		
Delaware	16	3	
Florida	67		
Georgia	180		
Kentucky	175		
Louisiana	68		
Maryland	17	7	
Mississippi	99	23	30
North Carolina	112	3	
Oklahoma	540		
South Carolina	78	7	
Tennessee	136		
Texas	1,030	3	
Virginia	110	24	
West Virginia	55		

Sources: State legislative and governors' staffs, state school boards associations and Education Commission of the States

In seven SREB states, school board members in some districts are elected, while members in other districts are appointed. In these states — Alabama, Delaware, Maryland, North Carolina, South Carolina, Texas and Virginia — various officials, such as the governor, the state Board of Education or the county commission, appoint board members.

Appointed school board members in Alabama and North Carolina are selected by city councils. Delaware's governor appoints the members of the three vocational-technical boards. Of the seven appointed school boards in Maryland, six are county school boards whose members are appointed by the governor. The seventh board is the Baltimore city school board, with membership jointly appointed by the governor and the mayor.

The seven appointed school boards in South Carolina are city school boards, with members selected by county boards of education. In Texas, members of the three military school boards are appointed by the state Board of Education. In Virginia, 24 local school districts are appointed by various entities: Six are appointed by a county board of supervisors (the county governing body), 15 by a city or town council, and three by a school board selection committee.

Mississippi is the only SREB state where both elected and appointed board members work together on the same local school board. Board members in 99 of the state's 152 districts are elected. Twenty-three districts appoint board members. The remaining 30 have a mix of elected and appointed members serving together. Appointed members in these 53 districts — all special districts — are selected by the mayor and local governing board.

### *Terms of office and membership*

The terms of office for local school board members differ among SREB states, and even within states. Half of SREB states require board members to serve four-year terms. In the remaining states, the terms of office vary by district and range from as few as two years to as many as six years.

The size of local boards also varies among — and within — SREB states. Boards range from three members in Oklahoma, Tennessee and Virginia to as many as 14 members in Louisiana. Districts in most states have at least five members. West Virginia is the only SREB state in which all boards are the same size — there are five members on each board. (See Table 3.)

### *Qualifications*

In nearly every SREB state, local board member qualifications are written into the state statutes. Maryland is the lone state without statutory qualifications. (See Table 4 on Page 6.)

Qualifications vary and are more detailed in some SREB states than others. Of the 15 states with qualifications written into state statutes, 12 require local board members to live in the district at the time of their selection. Six of these 12 states — Florida, Georgia, Louisiana, Tennessee, Texas and Virginia — require school board members to maintain residency in the district throughout their term.

Prospective board members in Delaware, Kentucky, Louisiana, North Carolina and Texas are required to be state residents. In Kentucky and Louisiana, board members are required to be state residents for a specified number of years prior to eligibility: three years in Kentucky and two years in Louisiana.

Table 3  
**Terms and Size of Local Boards of Education, 2008**

State	Term Length (Years)	Number of Members
Alabama	5 to 6	5 to 11
Arkansas	3 to 5	5 to 9
Delaware	3 to 5	5 to 10
Florida	4	5 to 9
Georgia	4	5 to 9
Kentucky	4	5 to 7
Louisiana	4	5 to 14
Maryland	3 to 5	5 to 12
Mississippi	4	5 to 6
North Carolina	4	4 to 12
Oklahoma	3 to 5	3 to 7
South Carolina	2 to 4	5 to 12
Tennessee	4	3 to 12
Texas	2 to 6	5 to 9
Virginia	2 to 4	3 to 12
West Virginia	4	5

Sources: State departments of education, state school boards associations and SREB state statutes

In nine SREB states, board member candidates are not eligible to serve if employed by a local board, or employed or serving on another political entity. Kentucky and Oklahoma also prohibit board members' relatives from being employed by or serving on the board.

Three states have specific age requirements for board membership. Kentucky board members are required to be at least 24 years old, while Louisiana requires members to be at least 18, and North Carolina limits membership to those 21 and older.

## **Most local superintendents are appointed and serve four-year terms**

### *Powers and duties*

Local school superintendents are responsible for the day-to-day operations of schools and also direct district staff in administering and following policies at the local level. Generally, local superintendents enforce state and local board regulations, administer oaths, prepare the annual budget, direct finances, secure student records and ensure that minimum standards are met. Local superintendents also perform duties for local

Table 4  
Local Board of Education Qualifications

State	Diploma or GED	Able to Read and Write	State Resident	District Resident at Time of Selection	Must Maintain Residency During Term	Not Employee of or Serving on a Board or Other Political Entity	Relative Not Employed by or Serving on a Board
Alabama		✓		✓			
Arkansas				✓		✓	
Delaware			✓	✓		✓	
Florida				✓	✓		
Georgia				✓	✓	✓	
Kentucky	✓		✓			✓	✓
Louisiana		✓	✓	✓	✓		
Maryland							
Mississippi				✓			
North Carolina			✓	✓		✓	
Oklahoma						✓	✓
South Carolina						✓	
Tennessee	✓			✓	✓	✓	
Texas			✓	✓	✓		
Virginia				✓	✓		
West Virginia	✓			✓		✓	

Sources: SREB state statutes

school boards that include providing advice and counsel, recommending new procedures and reporting student performance results.

In addition, statutes in 13 of the 16 SREB states provide local superintendents with the authority to function as the secretaries and/or executive officers of the local board and to perform other duties. Louisiana, South Carolina and Virginia do not list local superintendent responsibilities in state statutes.

### *Selection and terms of office*

In 13 SREB states, district superintendents are appointed by the local school board. Superintendents in Alabama, Florida and Mississippi are elected in some districts and appointed in others. While most local superintendents in SREB states serve four-year terms, contract lengths range from one year in some districts in Georgia and West Virginia to five years in some Delaware districts. (See Table 5.)

Table 5  
**Local Superintendents Elected and Appointed, and Terms, 2008**

State	Appointed	Elected	Term Length (Years)
Alabama	94	39	2 to 4
Arkansas	254		3
Delaware	19		3 to 5
Florida	24	43	4
Georgia	180		1 to 3
Kentucky	175		4
Louisiana	68		4
Maryland	24		4
Mississippi	85	67	4
North Carolina	114		4
Oklahoma	540		3
South Carolina	85		4
Tennessee	136		4
Texas	1,033		2 to 3
Virginia	134		2 to 4
West Virginia	55		1 to 4

Sources: State legislative staffs, state departments of education, state school boards associations, Education Commission of the States, and SREB state statutes

### *Qualifications*

While some states require the state Board of Education or local school boards to determine qualifications for superintendents, nine SREB states include qualifications for superintendents in their state statutes. The most common qualifications specified in statutes address education, experience and certification.

Seven of the nine states require local superintendents to have state certification, which typically involves some amount of postsecondary education. In Maryland, candidates are required to have state certification as well as to meet specific postsecondary education qualifications. (See Table 6.)

Kentucky, North Carolina and West Virginia have residency requirements for district superintendents. Kentucky's local superintendents are required to live in the state. Local superintendents in North Carolina must be residents of the district they serve. West Virginia's local superintendents must reside in the county in which they serve or in a contiguous county within the state.

Table 6  
Local Superintendent Qualifications

State	Education		Leadership or Educator Experience	Residency	Good Moral Character	State Certification
	Bachelor's Degree	Completed Two Years of Graduate Courses				
Alabama	✓		✓		✓	✓
Arkansas						
Delaware						
Florida						
Georgia <sup>1</sup>			✓		✓	✓
Kentucky				✓		✓
Louisiana						
Maryland	✓	✓				✓
Mississippi			✓ <sup>2</sup>			✓
North Carolina			✓ <sup>3</sup>	✓		
Oklahoma						
South Carolina						✓
Tennessee	✓					
Texas						
Virginia						
West Virginia				✓		✓

<sup>1</sup> Georgia statutes require business or management experience, a minimum valid certificate, or a letter of eligibility for certification by the Georgia Professional Standards Commission.

<sup>2</sup> Mississippi statutes require four years of classroom or administrative experience.

<sup>3</sup> North Carolina statutes require leadership experience as a principal or in another management or administrative role.

Sources: National School Boards Association (2007) and SREB state statutes

## **Relationships vary between local boards of education and local superintendents**

Questions often arise as to whether there is a clear line of accountability regarding the local governance of schools. In most districts, voters elect school board members who, in turn, appoint the superintendent. Often, the superintendent is a professional educator with proven experience and leadership skills. Considering that the board is accountable to the voters and the superintendent is directly accountable to the board, if the superintendent fails to meet the board's expectations, he or she can be replaced by the board. As a result, a clear hierarchy of accountability is established between the board and the superintendent.

Where lines of accountability may blur are in those districts where both local board members and the superintendent are elected. Both are accountable to the voters. But the relationship between the board and the superintendent may be at odds, since the superintendent is expected to implement board policy and oversee the day-to-day operation of the schools as well as be accountable to voters. It does not bode well for schools if the two fail to work cooperatively and problems are not resolved until the next election cycle.

To resolve accountability issues associated with local education governance, Mississippi passed legislation in 2008 that allows an elected or appointed superintendent to be removed if, for two consecutive years, the district is designated as underperforming and has been under the direction of the same superintendent during those two years. This year, the Mississippi Legislature is considering policies that further modify state provisions regarding local education leaders in school districts that underperform for two consecutive years.

## **Most districts in SREB states are fiscally independent**

Funding local school systems involves a mix of revenues from state, local and federal sources. While the required local support of schools varies as a percentage of total funding from state to state, nationally local revenues, on average, are 45 percent of the total available funding, with most of the revenue coming from property taxes. "Tax-swap" plans passed in 2006 in South Carolina and Texas have reduced the reliance on property taxes by increasing sales tax. (See Table 7.)

Local funds are raised either directly or indirectly by school districts that have taxing authority (fiscally independent districts) or through other local government entities for the operation of schools within a district (fiscally dependent districts). More than 90 percent of the local school boards in America have the authority to raise their own revenue for school system expenditures.

Ten SREB states authorize all local districts to levy taxes to provide the local share of school funding. These fiscally independent districts often are limited in how much funding can be raised. However, some districts are able to obtain added revenue with voter approval.

Districts in five SREB states — Alabama, Maryland, North Carolina, Tennessee and Virginia — are fiscally dependent solely on other government entities to provide their local share of school funding. In this case, the local school board submits its budget to the appropriate city or county government for review and approval, and the local government entity levies taxes to meet the district's needs. For example, in Tennessee, special school districts receive varying amounts of funding from several government entities: the state, special school district property tax, a portion of the local county sales tax and, in some cases, a contribution from the city government.

Table 7  
**Local Board of Education Taxing Authority**

State	Independent	Dependent
Alabama		✓
Arkansas	✓	
Delaware	✓	
Florida	✓	
Georgia	✓	
Kentucky	✓	
Louisiana	✓	
Maryland		✓
Mississippi	✓	
North Carolina		✓
Oklahoma	✓	
South Carolina	✓	✓
Tennessee		✓
Texas	✓	
Virginia		✓
West Virginia	✓	

Sources: Education Commission of the States (2004), and Strom Thurmond Institute of Government and Public Affairs at Clemson University (2005)

South Carolina is the only SREB state that has a mix of fiscally dependent and independent districts. The state also has districts with taxing authority, but only within the rate limits established by the local government or legislative delegation.

## Summary

The principal leaders in local education governance are the local board of education and the local superintendent. These leaders ensure that state policies are executed accurately and efficiently. At the same time, local officials act as advocates for their local district when reporting and discussing school system data, finances and issues with the state Board of Education and the state schools chief. Although education governance structures differ from state to state, local education leaders shape the vision of local school systems by managing the implementation of education standards as well as the effectiveness and efficiency of school system operations.

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