

## **Building Block #9 Institute a Governance System to Develop Powerful Policies and Implement Them at Scale**

### **GAP ANALYSIS**

*Clear, internationally benchmarked goals, which are coupled to coherent, aligned policies, enacted through a close coupling between policy and practice*

All the top-performing countries have ministries of education either at the state or national level. These ministries have no analogue in any unit of government in the United States. They are generally responsible for education at all levels, pre-K, elementary and secondary education and higher education. In most cases, these ministries sit at the top of a civil service structure for education that starts with classroom teachers and support personnel and moves up in a hierarchy to the top civil servant in the ministry. Master teachers and principals are paid about the same. They report to district and regional officials, who are paid more, who in turn report to the central ministry staff, who are paid more, and they report to the permanent secretary, who is the highest paid professional educator in the system. The ministry officials are widely regarded as the nation's leading experts on education matters. The ministries are typically assigned many functions that in the United States are assigned to separate bodies, such as licensing and standard-setting bodies. In most of these countries, policy direction for education is provided in a parliamentary system led by a minister who is a member of the majority in Parliament and can therefore be assured of the backing of the prime minister and the legislature.

Increasingly, the ministries of education have high-level units whose only job is to benchmark the standards, policies and practices of the other top performing nations, especially the changes the top performers are making to cope with the rapid changes in technology that are in turn creating major challenges in the nature of jobs and the economy. Most of these countries have well-worked-out systems to take this kind of intelligence and use it to plan big changes in the direction of national education policy. These plans usually involve widespread involvement of the public and education professionals in their preparation and the plans usually also include detailed implementation strategies. Indeed, it is usually the case that as much effort goes into the preparation for implementation as goes into the development of the plan itself. Because the system is an integrated, hierarchical civil service system, program planning is tightly coupled to implementation planning, and implementation planning is tightly coupled to actual implementation. Because leadership for these changes in direction is provided by the party in power, the changes being planned and carried out by the civil service have the backing of the whole political structure.

None of this is true in Maryland, nor in any state in the US. Pre-K through 12 spending and accountability are highly decentralized. School superintendents do not report to state department of education officials. The Chief State School Officer (i.e., State Superintendent) is not the highest paid professional educator, nor is there a reporting line that goes from master teacher and principal up through the hierarchy to the Chief State School Officer. Responsibility

for running the higher education system and the Pre-K to 12 system is widely distributed. In the US, policies and practices of the world's leading systems are not routinely benchmarked. Many different bodies have independent authority for specific parts of the education system and not infrequently work at cross purposes with one another. The system for governing education in Maryland, like the system throughout the United States, can best be described as highly fractionated. In practice, only Massachusetts among US states, at a particular point in time, was able to create a coalition that bridges this kind of fractionation to create and implement a highly coherent major change in policy and practice. That fleeting effort to overcome a weak governance structure was then followed, years later, by changes in the structure made by a determined governor, changes that unified previously entirely separate governing structures under one roof. This structure remains in place today.

The question for Maryland is how it can move to an education system that gets results comparable to those achieved by the top performers with the highly decentralized governance system it has. That will require the state to find a way to get the same kind of coherence and power from its system as policy is made and implemented without transforming its governance structure to do it. An innovative approach to education governance will have to be found to accomplish this task.

### **Bridge to Excellence Master Plans**

All of these issues came to the fore in 2002, when the legislature passed the Bridge to Excellence in Public Schools Act, translating the Thornton Commission recommendations into law. Then, as now, the core challenge was finding a way to connect school finance to a broad education reform program that would enable the students in the State to reach very ambitious new performance targets.

The new school finance formulas created by the Act were used to calculate how State education aid would be distributed to Maryland school districts. After that, it was up to the districts to decide how to use the money. School systems were required to submit "Master Plans", essentially five-year strategic plans that described how the additional education aid would be spent to improve student achievement. The State Superintendent was given authority to review and approve the master plans, require revisions to plans, and to withhold State aid if an LEA plan was unsatisfactory or if sufficient progress in improving student achievement was not being made.

In theory, then, Thornton included a system for holding school districts accountable for the way they used the considerably increased funds they would be getting. This was a crucial feature of the Thornton plan, especially in light of the OECD finding, referred to in the discussion of Building Block #2, that above a total of US\$50,000 spent on a student's education from the first grade through the end of grade 10, there is very little correlation between how much money is spent and increases in student performance across systems. In other words, above a certain funding level, *how* the money is spent is at least as important as how much is spent. If that is

true, then Maryland must find a way to hold the schools and districts accountable for spending the money in a way that is highly likely to produce the expected result in student performance.

Master plans were reviewed by the State, but MGT of America found in a 2008 State-mandated report entitled, *An Evaluation of the Effect of the Increased State Aid to Local School Systems Through the Bridge to Excellence Act*, that while there were modest student gains over the 2003-2008 phase in of the Act, most LEAs and schools were not implementing changes in policy and practice for which there is clear evidence of effectiveness. Further, MGT found that the accounting systems used by LEAs did not track how the additional aid was spent. Thus, while the master plan approach was innovative at the time, and in theory held school systems accountable for the use of education aid, it did not work as had been intended. Such a system will only work if there are published criteria for review that are related to what research tells us about what will work, and the entity charged with reviewing and approving the plans and their implementation has the capacity and the authority to tie resource allocations to successful implementation of the plans. Up to the present, MSDE has only had the capacity to review master plans primarily for compliance with the specific statutory requirements of the Bridge to Excellence Act and ESSA (previously NCLB and other federal statutes).

As noted previously, the top performing countries are getting substantially better results at a cost no greater than Maryland's current cost. They are able to do this not only because they have more effective interventions, but because they have a different *system* of education. "System" does not refer simply to the arrangement of schools, districts and central national or state agencies nor does it refer to an organization chart of the system or any part of it. It means the contents of each of the 9 Building Blocks and the way those building blocks are connected to each other in a way that, in the top performing countries, leads to the operation of the whole in which each part and element of the whole system supports all the others in a harmonious and mutually reinforcing way. In such systems, the policies are designed to provide positive incentives to all the actors to work hard to achieve what the public wants for students and also provides the capacity in the schools and elsewhere needed to achieve those goals. That is what is meant by system. One of the most important findings from international comparative research on education is that it is difficult if not impossible to get consistently high student performance without a design for governing education that has the capacity and authority needed to create and maintain such a system.

## RECOMMENDATIONS

One of the methods used by APA, as discussed earlier in the report, is the "successful schools" method, which involves finding schools that are successful in producing the desired outcomes and finding out what it costs to run those schools. The Commission has decided to use what could be called the "successful nations" method to determine the costs of getting Maryland schools to match the performance of the schools with the most successful education systems. The methods used by those countries are captured in the 9 Building Blocks around which the Commission has organized its work. The governance question, then, is how to create a governance design for Maryland education that is capable of creating a high performance

system for Maryland and that holds Maryland schools and districts accountable for implementing the strategies captured in the 9 Building Blocks document, as adapted for use in Maryland by the Commission. Put another way, the question is how to set up a governance mechanism for implementing the Commission report that maximizes the chance that the Commission recommendations will be well and truly implemented.

While the general approach of the successful nations method is similar to the successful schools model, the nature of the criteria used to judge LEA master plans would be very different. Instead of describing particular interventions that must be used, the criteria would focus on , for example, whether a district is doing what is required to find, hire, train and provide working conditions that would attract very high-quality teachers and enable them to do the best work of which they are capable. It is the difference between telling a surgeon which procedure to use, on the one hand, and on the other, setting up a system that will produce first rate surgeons and provide the resources they need to do the best surgery of which they are capable, using their best judgment in each individual case. The task in this case is to establish a governance and accountability structure for implementing the Commission's recommendations similar in form but very different in practice from the structure established by Thornton, a structure that stands on what was learned from Maryland's experience with Thornton.

1. To make sure that the Commission's recommendations are implemented as intended, Maryland should establish an "independent entity" to guide and direct the implementation. That independent entity, a governmental body, should be temporary, authorized to perform its function only during the transition to the new system, after which it should sunset (e.g., after 10 years).
2. This independent entity must be non/bi-partisan and truly independent, although ultimately accountable to the Governor and General Assembly that create it and to the students, educators, and citizens of the State. Its membership must be broadly representative with individuals possessing the knowledge and expertise to fulfill its mission.
3. The independent entity should work in collaboration with the State Board of Education, MSDE, LEAs, teachers' unions, and other stakeholders, but must have some jurisdiction over all the agencies and departments that will be directly involved in implementing the Commission's recommendations. The functions assigned to the independent entity must be supported by sufficient professional and support staff to meet their responsibilities and include:
  - a. Developing a detailed plan for implementation of the Commission report, with goals, milestones and measurable interim objectives for all relevant government agencies and departments, including the schools. The Commission will provide a more detailed implementation plan of its policy recommendations in its final report;
  - b. Reviewing and approving implementation plans (Educational Excellence Strategic Plans?) submitted by all relevant government agencies, including higher

- education, and LEAs that provide the strategies and use of funds to implement the Commission's recommendations aligned with the independent entity's implementation plan;
- c. Collecting data and conducting analysis of the implementation of the Commission recommendations and reporting to the legislature, the Governor and the people of Maryland every two years on the progress made against the operating plan and the challenges ahead and recommending any new legislation that, in the opinion of the independent entity, needs to be enacted to improve the probability that the outcomes envisioned in the Commission report will be achieved;
  - d. Commissioning analyses and evaluations of the implementation of the Commission's recommendations that may further the Commission's overarching goal to make Maryland's education system world class;
  - e. Awarding "seed" grants for innovative proposals (i.e. research and development) to further the Commission's ultimate goal of making Maryland's education system world class; and
  - f. Providing technical assistance and training to, and monitoring implementation actions of, the various Maryland government agencies, LEAs, higher education institutions, and others involved in implementing the Commission's recommendations.
4. In order to ensure that the students of Maryland are getting the results intended by the Commission, the State must give the independent entity the authority to withhold increases in State education aid if an LEA has not provided an implementation plan that is approved by the independent entity or if an LEA is not making demonstrable progress with implementation the Commission's recommendations in accordance with its approved plan. The independent entity would establish criteria for initial approval of LEA plans and annual reviews of progress based on the Commission's report and recommendations.
  5. Once the new College and Career Ready standard is implemented in the schools (see Building Block #3 and #4), about mid-way through the envisioned 10-year implementation period, the State should base its school accountability system, in accordance with ESSA or its successor, mainly on the proportion of students achieving the College and Career Ready standard by Grade 10 and the proportion reaching that standard by Grade 12, as well as the rate at which that proportion is increasing.
  6. The State Board of Education and MSDE should continue to monitor low-performing school systems and schools, and if a system or school is falling behind with little or no signs of improvement, they should send in a team of experts to review and analyze, holistically, what is happening in the school and make recommendations for a plan of action to the local superintendent and board of education.

7. Maryland should become part of the network of nations, states, provinces, schools and districts in the OECD PISA survey, so that it can compare itself to over 100 leading education systems around the world on both the achievement of its students and the strategies that governments at every level are using to get high achievement and high equity.
8. At the end of the implementation period of the Commission's recommendations, an evaluation of whether the Commission's goals have been achieved and the effectiveness of the independent entity should be required.

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