

AN ANALYSIS OF
STATE CAPACITY TO IMPLEMENT THE MASSACHUSETTS
EDUCATION REFORM ACT OF 1993

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Executive Summary

In June, 1993, Governor William Weld signed into law the Massachusetts Education Reform Act (MERA). MERA committed the state to increasing aid to local school districts, and also launched a process of comprehensive, standards-based reform. MERA was one of the earlier such state reforms.

At the time when MERA was passed, the Massachusetts Department of Education had a staff of 325 FTE's, down from approximately 1,000 in 1980. MERA greatly expanded the state's role in funding public education, specifying what students should learn, and holding educators accountable for students' achievement. Despite this increased state role, there have been few additional resources devoted to building the state's implementation capacity. For that reason, the Massachusetts Education Reform Review Commission decided to sponsor this study of the state's capacity to implement the far-reaching changes required by Education Reform.

Methods. Our research included analysis of documents related to Education Reform; in-depth interviews with 73 current and former state officials, association leaders, local educators, and other stakeholder representatives; and surveys mailed to district-level administrators, building-level administrators, and teachers.

What is "Capacity?" We evaluated the state's capacity to implement MERA by assessing three key areas: the state's *goals and responsibilities* under the law, the *resources and other organizational elements* available, and *stakeholders' perspectives* on goals, resources, and organizational elements.

Which Elements of the State? Our research concerned the entities within the state government whose activities affect K-12 education, with an emphasis on the Massachusetts Department of Education but also including the Board of Education, the legislature, the Governor's Office, and other agencies within the executive branch such as the Department of Revenue.

Overall Capacity Issues

MERA greatly increased the state role both in funding public education and in guiding the local educational process. The state's role changed to incorporate setting of curriculum frameworks and holding schools accountable for student performance. In order to carry out its new roles, the state (primarily the Department of Education) had to use familiar policy instruments in new ways, and/or to a greater extent, than previously. Finally, because MERA was designed to be a systemic reform of education, all of the various state activities and policies needed to fit together into a coherent whole based on state educational standards. In order to produce systemic reform, state authorities would need both an enhanced ability to collect data and organizational structures and functions to facilitate its use.

Three sets of capacity issues cut across all of the different programmatic elements of MERA.

Political Issues. By “political issues,” we mean issues related to the climate of opinion and assumptions within which state goals for MERA implementation have been set and local implementation has taken place. The important political issues for MERA implementation have been (1) the extent to which influential actors agree with the conception of MERA as a “bargain” between state and local authorities, (2) the appropriate extent of the state role, (3) the direction of leadership at the state level, and (4) local educators’ response to the new state roles.

- When MERA was passed, many state leaders assumed that the state’s role would primarily be to set standards and hold schools accountable for meeting them, to be fairly hands-off regarding how schools met the standards (the “tight-loose” assumption).
- Increasingly, this “tight-loose” approach is seen as insufficient. Many respondents argue that the state has a key technical assistance responsibility to help schools with the processes of implementing standards-based reform.
- Disagreement over DOE’s appropriate role(s) has hampered DOE’s ability to receive and strategically deploy the resources it needs.
- The change in Board of Education leadership in 1996 heightened controversy around Education Reform and reduced educators’ willingness to cooperate with the state. This adversely affected DOE’s capacity to leverage changes at the local level.
- Local educators see many of the functions included in MERA as appropriately shared between state and local authorities., In the area of assessment there may be resistance to an increased state role, and there is more interest in DOE brokering rather than providing professional development.

Organizational Issues. Even in the purest version of the “tight-loose” conception of MERA, the state still needs to have the capacity to produce and update curriculum frameworks, assess student performance, certify educators, and hold schools accountable for student performance. As mentioned above, there is significant interest in the state going beyond this minimum role to support schools and districts with technical assistance in implementing standards-based curriculum and instruction.

Many different entities within state government have had some role in MERA implementation. The Department of Education occupies a complicated place, in that it has had to answer to the Board of Education, the Governor (since it is an executive branch agency), a now-defunct Secretary of Education, and the legislature (which funds it), while at the same time needing to remain responsive to the Commonwealth’s many schools and school districts.

- This organizational complexity has contributed to competing and fluctuating policy agendas for DOE and local educators.
- This organizational complexity has also prevented DOE from making the case to the legislature for additional administrative resources.

- Within DOE, communication among offices and coordination of efforts have been problematic. Staff see this as due to resource constraints, a resulting workload that leads to a program-specific focus by staff, and a need for more organization-wide management. Combined federal and state responsibilities complicate this.
- Some educators in the field perceive DOE as difficult to communicate with and to get information from.

Financial and Human Resource Issues. Limited funding and staff have posed major challenges for the implementation of MERA.

Outside of the Department of Education, relatively few state staff work on K-12 educational issues. For that reason, our analysis of financial and human resources for MERA implementation focuses primarily on DOE. MERA added significantly to DOE's responsibilities, but did not take any functions away from the Department. These increased responsibilities were to be carried out by a staff that had been greatly reduced over the previous decade. DOE staff increases were slow in coming: a net increase of only 13 FTE between 1993 and 1998, followed by an increase of 67 FTE between 1998 and 2001.

- About 45% of DOE staff are in positions paid with federal funds, which in most cases restricts the agency's ability to use them for implementing state programs. In addition, the overhead funds that come with these federal grant funds go not to DOE but to the state's General Fund.
- Over 95% of new state spending under MERA has been "passed through" DOE to local districts, with very little left over for building state-level administrative capacity or evaluating what works and does not work.
- The legislature has passed numerous other initiatives in addition to MERA. Administrative and evaluation funds are often lacking in these initiatives.
- Both inside and outside DOE, there is widespread belief that the agency does not have sufficient staff to implement MERA and its other responsibilities.
- Because the state pay scale is lower than what experienced educators can earn in schools and districts, it is difficult to recruit people with extensive experience, in schools or elsewhere, for jobs at DOE. DOE has responded to staffing needs through consultants and sabbatical teachers.
- Use of consultants and sabbatical teachers has almost certainly not closed the gap between the level of DOE's regular staff and the extent of its responsibilities.
- Accountability, data collection, research and evaluation, and school building assistance are areas in which the need for more state-level staff is particularly acute.

Issues Specific to Components of Education Reform

At the beginning of our research process, we analyzed the Education Reform Act and identified ten categories of state-level activity. We then examined the capacity issues within each area.

Developing and Implementing Standards of Learning. This area has included the production of the Common Core of Learning, Curriculum Frameworks and other standards such as vocational standards, as well as supporting local districts' implementation of standards through alignment of curriculum and instruction.

- Standards-based reform involves both development and implementation components. Although this process has at times been politically contentious, it is administratively easier than helping districts implement the standards.
- The initial Common Core of Learning process demonstrates the power of a collaborative process to inspire cooperation in the field (which in turn expands the capacity of the state to foster standards-based reform). Subsequent estrangement of the field limits this important avenue for expanding state capacity.
- Because of the small numbers of staff involved, DOE's efforts to support implementation have not been extensive. Local educators would like more help.

Developing and Implementing a System of Student Assessment. The model of systemic reform enacted by MERA requires an assessment of what students have learned, to serve as an indicator of whether reform is succeeding.

- Like many other state education authorities, DOE has used a test contractor to build its capacity in this area.
- Even with test production contracted out, extensive responsibilities remain in DOE, for which current staff levels are barely sufficient.
- Local educators express dissatisfaction with the state's ability to help them interpret MCAS results.

Developing an Accountability System for School and District Performance.

Accountability is one of the most important components of MERA, and it is one of the areas in which implementation to date has been most hindered by political, organizational, and resource issues.

- Because of limited resources, the state accountability system emphasizes oversight of a few schools that appear to have the most egregious problems, rather than the Education Reform principle of continuous improvement for all schools in the Commonwealth.

- Competition and conflict between branches and offices of the state government has slowed implementation of an accountability system for schools and districts.
- The Department of Education lacks resources needed for broad-based technical assistance to schools and districts on school improvement.

Supporting Local Education Governance and Management. MERA included significant changes in the way schools and districts are run. All schools are to have School Councils. School Committees' power over personnel issues was reduced, with superintendents and principals given more authority. DOE's role in these local changes was to provide support for districts while also ensuring that the new laws were followed.

- Districts have less internal capacity for planning and governance than MERA assumed.
- School Councils and other governance and management reforms have been unevenly implemented.
- School committees would benefit from professional development on their role under MERA.
- The state's own limited capacity prevents it from supporting local capacity-building.

Making Coherent State-Level Policy. MERA required not only that the structures and processes of the K-12 public education system change, but also that they change in a systematic and coherent way consistent with standards-based reform. In order for state authorities to play their role in coordinating local efforts, they must themselves act in a coordinated way to guide and monitor education activities.

- State-level policymaking has been a contentious area, with competing agendas, fluctuating goals, and a gradual estrangement of the field.
- The policymaking structure has been in flux, with the Board of Education changing from 17 to 9 members, the Secretariat of Education being abolished, and the Board's Advisory Committees having an unclear role.
- The state could improve interagency coordination and communication to further reform's effectiveness and coherence.

Collecting and Using Information to Improve the Performance of the Educational System. Coordination of policy making, accountability, and communication requires that the state collect appropriate information and use it in ways that contribute to system improvement.

- DOE has focused significant resources on technology and information systems, but the basic functions of knowing what schools students attend, what courses they take, and how they perform on assessments have not yet been implemented.

- MERA placed significant responsibility in this area with the Secretary of Education, which was abolished, and with DOE's then-division of Evaluation, Planning, and Research, which has been reorganized and receives few resources for this function.
- Other entities within state government, such as the Joint Committee on Education, Arts, and Humanities and the Education Reform Review Commission, do not have sufficient capacity for data collection.

Enhancing Educator Quality and Education as a Profession. The approach taken thus far to professional development in MERA exemplifies the "tight-loose" assumption about the state's role in reform. Local districts received state funds for professional development and were expected to use it in ways that supported reform.

- In practice, many districts have not known how to use the funds effectively, and the state has had insufficient resources to use in guiding them.
- DOE has had relatively little professional development resources of its own because most state funds for professional development go to local districts. DOE has begun building capacity in its Educator Quality cluster; several interviewees spoke highly about its initial progress.
- The field has seen accountability issues, including MCAS and teacher testing, taking precedence over professional development support.

Ensuring Readiness to Learn Through Early Childhood Education Programs. Between 1996 and 1999, spending on the early childhood education component of MERA increased by 247%.

- A report by the State Auditor concluded that monitoring and evaluation capacity did not keep pace with the spending increase.
- Survey and interview respondents expressed the opinion that early childhood education programs still need evaluation, improvement and expansion.

Implementing Choice and Charter Schools. MERA expanded interdistrict choice and authorized the state to approve charter schools.

- Although the charter school office staff is quite small, it has produced an accountability system that some people believe could provide guidance for a more general accountability system.

Funding Public Education. When MERA passed in 1993, many observers expressed doubt that the state would make good on its promise to spend \$1.3 billion in new state funds on education over seven years.

- The funding promise was fulfilled, and all districts have now been brought up to the foundation level of education spending.
- The state has recognized that the definition of the foundation level must be revised to keep up with the challenge of standards-based reform.

Recommendations

- **Increase the funds available for DOE operations, and use the increased funds to improve the agency's capacity in key areas.** DOE has particularly strong resource needs in the areas of data collection and management, research and evaluation, and assessment. Other important areas of need include staff for the school building assistance program and funds to be used as state matches for federal grants.
- **Ensure that legislatively mandated programs include adequate funds for DOE to administer and evaluate them.** In general, whenever state government creates a new grant program or imposes a new responsibility or reporting requirement on the DOE or local school districts, it should specify a source of funding for administrative support, including resources for facilitation, oversight, and evaluation of the program—perhaps 5% for administration and 3% for evaluation.
- **Allow overhead from DOE's Federal grants to go to DOE rather than the General Fund.** Other potential sources of funds include the revenues from educator certification fees, which also currently go to the General Fund rather than Department administrative costs.
- **Salaries for DOE staff should be increased, in order to attract greater numbers of experienced educators to work in the agency.** DOE is not able to match what experienced superintendents, principals, and teachers can earn in school districts. This is a difficult issue to resolve, given that the salary ranges for DOE are generally the same as for all state agencies. DOE has creatively used contracted employees, sabbatical teachers, and other mechanisms to address this shortcoming, but the capacity costs of these practices cannot be underestimated. Given the ambitious combination of support and regulatory roles required of DOE by MERA, an inability to hire sufficient numbers of experienced educators is a significant limitation.
- **Increase involvement of and communication with educators in the field in implementation of Education Reform.** DOE has already begun to take some initiative in this area. Overall, the relationship between state authorities and the field needs to become less adversarial. From the governor, the legislature, the Board, the Department, and the various education associations, there needs to be some sort of common attempt to say that Education Reform is a worthy goal, that we have much to celebrate, that we are going to get there, and that we will move forward together.
- **Where appropriate, use resources and organizations outside of DOE to expand state capacity.** In some areas where DOE lacks capacity, such as building assistance, auditing, professional development, and other types of technical assistance there is likely to be relevant

expertise elsewhere, either through other state agencies or outside contractors. Using networks of outside providers would still require DOE to have adequate financial, human, and technological resources to develop and manage the networks and to monitor quality of service. It is also important to recognize the limitations of contracting out as a means of policy implementation.

- **Resolve uncertainty over responsibility for accountability, monitoring, and oversight.** In addition to establishing a clear sense of which roles will be played by the Governor's Office and which by the DOE, it is also necessary to determine how both entities' work fits with that of the State Auditor and the Education Reform Review Commission. In the area of district accountability, lessons may be learned by comparing the different accountability methods used to evaluate charter schools and regular public schools.
- **Maintain and enhance DOE's capacity to play a regulatory role.** Emphasis on DOE as a supporter or facilitator of improved teaching and learning must be seen as complementing rather than supplanting its role as the enforcer of federal and state regulations. Although networks outside the agency can assist in the support and facilitating functions and in service delivery, legal compliance remains DOE's legal responsibility as a state agency.
- **Expand the use of sampling in data collection and program evaluation.** Closely monitoring the activities of 371 districts and 1,874 schools is a daunting task. However, there may be numerous areas in which a sampling strategy can deliver representative data at lower capacity cost than collecting data from all districts and/or schools. Adequate data collection and analysis through a sampling strategy would probably still require additional DOE capacity, but less than would be required by a census approach.

- **Improve coordination and communication within DOE.** Many interviewees (inside and outside DOE) talked about their impression that the work of various DOE clusters and staff members is not well coordinated, both because there isn't a chief operating officer or staff member with similar knowledge of and authority over which cluster is doing which tasks and because communication among clusters is largely ad hoc. The Commissioner's recent reorganization addresses one of these issues by adding a chief operating officer to the organizational chart. This reorganization, and subsequent ones, may also make cross-cluster communication and collaborations more routine.
- **Consider regional or at least western and southeastern Massachusetts field offices.** At present, all of DOE, including the Program Quality Assurance staff, whose areas of responsibility are geographically defined, are based in Malden. There may be significant benefits to be gained, in terms of building better connections between DOE and local educators, from a more regional approach. Regionally based staff need not become disconnected from Malden, but could use information technology for internal and external communication and coordination.
- **Conduct additional research.** Areas of needed research include the following:
 - How are districts spending their MERA funds?
 - What would a data management system optimally look like, based on the data-use needs of both the Department and local educators?
 - What are the best practices in professional development now, and how could a provider network be organized to bring these practices into classrooms across the state?
 - Evaluation of early childhood programs and spending—what's the best use of state funds?
 - Is there a fiscal crisis coming, due to the large number of current school building projects, that will drain instructional resources in the future?

When MERA was passed in 1993, its proponents had a vision of a future in which all Massachusetts children would have equal educational opportunities and would be able to meet world-class academic standards. The path to that future has proved long and challenging. Several of the state policy makers we met with described Education Reform implementation as having recently reached “the hard part,” or as passing through “adolescence.” They remained hopeful, however, that the challenges of Education Reform can be surmounted. We hope that the analysis and recommendations presented in this paper will be used constructively to support the Commonwealth in meeting these challenges.