

spotlight

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STATE BOARD OF REPETITION

State Board of Repetition

S U M M A R Y : North Carolina's public schools students are falling behind, and the State Board of Education is to blame. As Governor Easley prepares to fill two vacancies on the board, it is time to appoint members who can bring fresh approaches and new ideas, not more groupthink, to the body that controls our beleaguered public school system.

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By all accounts, North Carolina's public schools are in dire straits. The dropout rate is increasing, student performance is declining, and our on-time graduation rate is abysmally low.

- The 2005 – 2006 dropout rate is 5.04 percent, the highest in four years.
- The percentage of fourth and eighth grade students at or above proficient on the 2005 NAEP reading assessments is the lowest since 1998.
- Among fourth graders, 34 percent of black students and 20 percent of Hispanics lack basic math skills, while 59 percent of blacks and 54 percent of Hispanics lack basic reading skills.
- By the eighth grade, 47 percent of black students and 41 percent of Hispanics lack basic math skills, and 51 percent of blacks and 43 percent of Hispanics lack basic reading skills.
- Only between 60 and 70 percent of students graduate high school in four years.

One would expect that the decline of North Carolina's public schools would prompt a vigorous school reform debate among members of the State Board of Education (SBE), the group ultimately responsible for the state's public schools. Instead, the board has retreated into groupthink, discouraging the kind of creativity and innovation required to improve public education in North Carolina. Nowhere is this more evident than in the board's voting patterns over the last four years.

State Board of Education Groupthink

From an examination of State Board of Education minutes over the last four years, I have found that the State Board of Education carries nearly all motions brought to a vote. Occasionally, an amendment to a motion does not

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200 W. Morgan, #200
Raleigh, NC 27601
phone: 919-828-3876
fax: 919-821-5117
www.johnlocke.org

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pass or a motion fails to get a second, but this is a rare, perhaps once yearly, event.

To put the board's voting patterns in perspective, approximately 94 percent of motions brought to a final vote over the last four years were unanimous decisions (See Figure 1). The remaining six percent of votes represent either a majority decision, a decision made with abstentions, or a case where the secretary failed to indicate a vote tally.

What is even more remarkable is that board member turnover has had little effect on the board's voting patterns (See Figure 2). Since 2003, there have been 18 different individuals on the 13-member board, but there has not been a substantial change in voting patterns. Phil Kirk served as chairman of the SBE for the first five months of 2003, and Howard Lee has been chair since Kirk stepped down from the post. Under Lee's leadership, the percentage of unanimous votes has increased slightly.

This suggests that all appointment and reappointments to the State Board of Education 1) have nearly identical views of public education, and/or 2) do not feel comfortable airing dissent. It is likely that both factors contribute to the high percentage of unanimous votes over the last four years.

Are Unanimous Votes Good?

Obviously, there is nothing objectionable about unanimous votes that relate to housekeeping issues. Boards often vote unanimously to approve minutes, move into closed or open session, change the agenda, go into recess, and adjourn (none of which have been included in the above count). In addition, proclamations and other ceremonial votes (also not included above) are usually benign motions that rarely warrant an objection. These kinds of unanimous votes help to make meetings more efficient and organized, which is important for any deliberative body.

Nevertheless, the State Board of Education accomplishes very little when members vote unanimously 94 percent of the time and virtually never defeat a motion. Regardless of ideological similarities among members, it is unlikely that their ideas and beliefs converge perfectly on nearly every issue. In any well-functioning deliberative body, one would expect some degree of disagreement among board members who must decide whether a new policy, a policy change, or an allocation of resources is in the best interest of the public. Given their voting history, one must wonder why a board of education is necessary at all.

Unanimous votes, however, may not always represent unanimity of opinion. Some political scientists argue that unanimous decisions often reflect the beliefs of the majority of the voting group, rather than the whole group. Studies of voting behavior in the federal court system reveal that unanimous votes follow the ideology of the majority of the members of the court, even in situations where the justices in the minority are free to rely upon precedent and individual preferences for their decisions.

Without a doubt, the governor appointed State Board of Education members that maintain allegiance to the education establishment, but, even so, unanimous votes may conceal differences of opinion among current membership. A philosophically diverse State Board of Education – including school

FIGURE 1: STATE BOARD OF EDUCATION FINAL VOTES, 2003 – 2006⁹

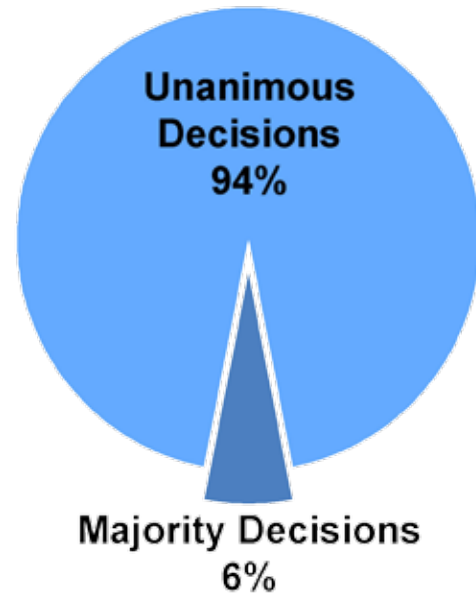


FIGURE 2: STATE BOARD OF EDUCATION DECISIONS BY YEAR

Year	UNANIMOUS DECISIONS	MAJORITY DECISIONS
2003	92%	8%
2004	92	8
2005	96	4
2006	94	6

choice advocates and charter school representatives – would ensure that the majority view no longer suppresses ideas that deviate from the group. All that is required is a governor with the courage to admit that the State Board of Education needs affirmative action in its truest form, that is, a diversity of views.

Why Target the State Board of Education?

The State Board of Education (SBE) is arguably one of the most powerful entities in North Carolina state government. The North Carolina Constitution authorizes the State Board of Education to establish policies and spending priorities that set the course for public K-12 education in North Carolina. According to Section 5, Article IX of the NC Constitution,

The State Board of Education shall supervise and administer the free school system and the educational funds provided for its support except the funds mentioned in Section 7 of this Article, and shall make all needed rules and regulations in relation thereto, subject to laws enacted by the General Assembly.

The policies and priorities established by the State Board of Education determine how the state spends billions in state, federal, and local funds every year. Moreover, their decisions ultimately affect every one of North Carolina's 1.4 million public school students and 180,000 full-time public school employees across the state.

What Makes Change Difficult?

Given the power of the State Board of Education to control educational funding and policy, every appointment and reappointment to the board has an immeasurable impact on North Carolina's national and global competitiveness. This year, Governor Easley will be required to fill two vacancies on the State Board of Education. Jane Norwood, vice-chair of the board and member since 1990, and Edgar Murphy, member since 1999, have terms that expire on March 31, 2007. When the General Assembly approves the governor's appointments or reappointments to these two vacant positions, Governor Easley will have appointed or reappointed eleven members of the board throughout his eight years as governor.

Section 4, Article IX of the constitution grants the governor the power and responsibility to appoint eleven members of the State Board of Education. The lieutenant governor and the state treasurer are automatically appointed to the board and have the same privileges as members appointed by the governor. The governor appoints members for eight-year staggered terms, with eight members representing regional districts and three members serving at-large. He is required to make all appointments to the board on or before the sixtieth legislative day of the General Assembly, and appointments are subject to confirmation by the North Carolina Senate and House of Representatives.

Given the length and design of the terms, it can be difficult to change the direction of the State Board of Education. Depending on the year, it could take up to four years to appoint a new majority to the board. The next governor will be able to appoint or reappoint six of the eleven appointed members of the State Board of Education, three in 2009 and three in 2011.

Who is Qualified to Serve on the State Board of Education?

North Carolina's General Statutes do not outline qualifications for members of the State Board of Education. Rather, the statutes specify circumstances that disqualify individuals from serving. Only one public school employee may serve on the SBE, and no spouse of any public school employee qualifies. Likewise, the governor may not appoint any employee or spouse of an employee from the Department of Public Instruction.

Members of the State Board Education may still be employed by the state. For example, Howard Lee, chair of the SBE, is a member of the North Carolina Utilities Commission, and Jane Norwood, vice-chair of the SBE, is a professor of education at Appalachian State University. Members come from both the public and private sector, but a number of the members have close ties to higher education and state government. Specialized knowledge of education policy or experience in education is not required to serve.

Conclusion

In recent years, the State Board of Education developed five goals for public education in North Carolina: 1) to produce globally competitive students; 2) to be led by 21st Century professionals; 3) to ensure that students will be healthy and responsible; 4) to allow leadership to guide innovation in NC public schools; and 5) to work to govern and support public schools with 21st Century systems. Although these goals are laudable, they are not attainable under the current board regime. Our public schools cannot be competitive and innovative until the State Board of Education demonstrates those same qualities.

Terry Stoops is Education Policy Analyst at the John Locke Foundation.

NOTES:

1. North Carolina Department of Public Instruction, "Annual Report on Dropout Events and Rates," Report #76, February, 2007.
2. National Center for Education Statistics, "National Assessment of Educational Progress State Profiles, North Carolina" <http://nces.ed.gov/nationsreportcard/states/>.
3. Ibid.
4. Ibid.
5. At the time this report was released, the actual rate has not been released by the Department of Public Instruction. The Cohort Rate published by the Manhattan Institute reports a rate of 67%, and the Cumulative Promotion Index published by the Urban Institute reports a rate of 64.7 percent. In early February, state education superintendent June Atkinson revealed that the rate would be "somewhere in the 60s," or just below the national average. See Rick Martinez, "Serious reform for the schools," *Raleigh News & Observer*, February 7, 2007, <http://www.newsobserver.com/567/story/540334.html>.
6. See Irving Lester Janis, *Victims of Groupthink: A Psychological Study of Foreign-Policy Decisions and Fiascoes*, New York: Houghton, Mifflin, 1972.
7. North Carolina State Board of Education, "SBE Meeting Information: Minutes," 2003 – 2006, http://www.ncpublicschools.org/sbe_meetings/index.html. Occasionally, a substitute motion fails. For example, see QP 6 for the November, 2005 SBE meeting: Revision of Standards for Teacher Education Programs in Reading, Latin, Visually Impaired, Instructional Technology, School Counseling, School Psychology, and School Social Work. After a substitute motion failed, the board voted 9-1 (with one abstention) to pass the original motion. See also SS 1 for the July, 2004 meeting: Proposed Anti-Harassment/ Bullying Policy. After a substitute motion failed, the board unanimously passed the original motion.
8. Ibid.
9. These percentages reflect final votes on motions related to substantive issues. The following votes were not included in this count: Approval or reconsideration of minutes, closed session, open session, adjournment or recess, amendments, committee and subcommittee votes, substitute motions, motions to act on first read, nominations for SBE positions, placing an issue back on the table, schedule or agenda changes, and proclamations. Percentages are rounded.
10. North Carolina State Board of Education, "History of the North Carolina State Board of Education," http://www.ncpublicschools.org/state_board/SBE_history/index.html.
11. Percentages are rounded.
12. Donald R. Songer, "Consensual and Nonconsensual Decisions in Unanimous Opinions of the United States Courts of Appeals American," *Journal of Political Science*, Vol. 26, No. 2 (May, 1982), pp. 225-239. For a slightly different take, see Saul Brenner and Theodore S. Arrington, "Unanimous Decision Making on the U. S. Supreme Court: Case Stimuli and Judicial Attitudes," *Political Behavior*, Vol. 9, No. 1 (1987), pp. 75-86. In addition, the process of arriving at a unanimous decision may result in errors in decision-making. See Timothy Feddersen and Wolfgang Pesendorfer, "Convicting the Innocent: The Inferiority of Unanimous Jury Verdicts under Strategic Voting," *The American Political Science Review*, Vol. 92, No. 1 (Mar., 1998), pp. 23-35.
13. North Carolina General Assembly, "North Carolina State Constitution," <http://www.ncga.state.nc.us/Legislation/constitution/article9.html>.
14. North Carolina Department of Public Instruction, "Statistical Profile 2006," p. 17, 29.
15. North Carolina State Board of Education, "Member Profiles," http://www.ncpublicschools.org/state_board/members.html.
16. Ibid.
17. North Carolina General Statutes, Chapter 115C: Elementary And Secondary Education, Subchapter II. Administrative Organization Of State And Local Education Agencies, Article 2, 115C-10. "Appointment Of Board."
18. Op.Cit. at note 15.