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Recent Trends in Intergovernmental Relations: The Resurgence of Local Actors in Education Policy

Julie A. Marsh¹ and Priscilla Wohlstetter²

In this essay, the authors explore trends in intergovernmental relations (IGR) by analyzing recent education policies—No Child Left Behind Act, Common Core State Standards, and local empowerment policies. Identifying a resurgent role for local actors in education policy, the authors argue that recent federal efforts to exert more control have in many ways strengthened the influence of local actors by providing avenues for school districts and other local “non-system” players to challenge traditional governance arrangements. In a similar vein, because the federal government’s ability to achieve its goals rests primarily on actions of local players, federal policies have in the course of implementation strengthened the hand of many local actors. Based on their analyses, the authors stress that IGR is not a zero-sum game. As one level gains power in certain domains, other levels may simultaneously acquire power in the same or different domains. The authors further argue that relations among federal, state, and local governments are bidirectional. Federal policy often requires states and districts to alter local policies, and conversely, decisions made by states and districts can also influence federal decisions. The authors begin the essay with an overview of the intergovernmental landscape, followed by an analysis of current education policies to illustrate the ways in which local actors have retained and asserted significant control over schooling, despite the expanded federal role in education policy. The essay concludes with questions for future research and practice.

Keywords: educational policy; governance; policy; policy analysis

Relationships between the federal, state, and local governments greatly shape education policy in the United States. Continually shifting over time, intergovernmental relations (IGR) have been the object of much attention in academic and policy circles. These relationships have also sparked perennial debates over questions of who should decide what is taught and tested in our schools, and what level of government should be responsible for matters of standards, curriculum, testing, and accountability.

In recent years, considerable attention has been devoted to the expanded federal role in education. Scholars have touted federal reforms such as the No Child Left Behind Act (NCLB) as “far-reaching” (Hess & Petrilli, 2006, p. 2) and “the greatest extension to date of federal authority over public school governance” (McDermott & Jensen, 2005, p. 39). Others have characterized the Obama administration’s recent policy initiatives as having “moved the boundaries of federalism” (Viteritti, 2012, p. 2117). Often accompanying these observations, however, is an assumption that expansion of federal authority translates into an inexorable, one-way loss of power from state and local governments. In this essay, we challenge this assumption, arguing that

recent trends in education policy have led us to rethink where power is located. The evidence points to a different conclusion: Federal efforts to exert more control in education policy have in many ways strengthened the influence of local actors by providing avenues for local players to challenge traditional governance arrangements.

We focus on the local level for several reasons. First, research on IGR tends to emphasize the relationship between federal and state governments, perhaps a vestige from our federalist roots (2012 special issue of *Educational Policy*; Hess & Kelly, 2011; Manna, 2006; Sunderman & Kim, 2004; Sunderman, Kim, & Orfield, 2005; Walker, 2000). Although contributing to knowledge about IGR in education, this scholarship has at times neglected the increasingly diverse and powerful set of local actors shaping education policy. Consistent with our argument, several of the contributors to the special issue of *Educational Policy* recognized that recent federal policies had not diminished but instead strengthened the role of state government. Yet, few

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examined the role of school districts and other local actors, an oversight, we argue, that neglects a complex set of relationships that greatly influence educational governance, policy, and implementation. Our focus on the local level is also supported by recent financial data, indicating that local-level funding for education this past year topped total state and federal funding: \$261 billion at the local level compared to \$258 billion at the state level and \$74 billion of federal funding (Dixon, 2012; Ujifusa, 2012).

In this essay, we begin with an overview of the intergovernmental landscape, followed by an analysis of current education policies to illustrate the ways in which local actors have retained and asserted significant control over schooling, despite the expanded federal role in education policy. We conclude with questions for future research and practice.

The Intergovernmental Landscape

The federalist system in the United States, unlike other countries with more centralized systems, spreads authority for public education between the federal (central) government and the states. This two-tiered arrangement is partly a consequence of America's early history under British rule, which ultimately led to the ratification of the U.S. Constitution, a document peppered with references to the limits of powers across the branches and levels (federal-state) of government. Although the Constitution does not mention public education directly, the 10th Amendment declares that all powers not included in the Constitution are reserved for the states. By tradition, responsibility for public education is shared mostly between the state and local levels, although the federal government, in recent history, has advanced its role in policy making. The intergovernmental landscape for education, therefore, spans a multitiered set of interactions: federal-state-local, federal-state, state-local, and federal-local.

As suggested earlier, the federal government's role in education has both expanded and changed qualitatively in recent years. Starting with the standards-based reform movement in the late 1980s, the federal government became more focused on educational outcomes and more involved in matters traditionally controlled by state and local actors. For example, the Obama administration's Race To The Top (RTTT) and American Recovery and Reinvestment Act (ARRA) have penetrated into the core domains of teaching and learning, including teacher evaluation and tenure, long thought of as sacred cows of state and local government (Grissom & Herrington, 2012; McGuinn, 2012; Superfine, Gottlieb, & Smylie, 2012; Viteritti, 2012; Welsh & Brewer, 2012).

This expansion of federal power has brought with it concurrent state-level shifts. States are asserting power reactively in implementing federal policy and proactively in the development of new policies—a well-established pattern documented in prior research (Berman & McLaughlin, 1977; Lusi, 1997; Spillane, 1996). For example, federal financial incentives in RTTT have catalyzed significant state activity. RTTT provided "political cover" for states to assert more power and to initiate reforms in the areas of teacher compensation, accountability, and closing low-performing schools—areas that states were unable to touch in the past because of strong opposition from interests groups

(McGuinn, 2012). States have also asserted independence when implementing RTTT. Vergari (2012) documents ways in which Delaware and New York made significant changes to their approved RTTT plans during implementation. Similarly, Kolbe and Rice (2012) found that state RTTT budgets reflected significant misalignments with federal priorities.

State-local relations have also changed in ways that stress the bidirectionality of IGR. Reforms in state finance systems have left local districts with less control over resources, but at the same time, new local players have emerged to assert power and weaken state control (which we explore in local empowerment policies below). In other cases, states, themselves, have moved away from a position of control, such as California's 2009 deregulation of "Tier 3" categorical aid programs that allowed districts new flexibility over \$4.5 billion in previously earmarked state revenues (Fuller, Marsh, Stecher, & Timar, 2011; Stecher, Fuller, Timar, & Marsh, 2012).

Local government and school districts also have reasserted considerable influence over public schooling—leading reform, chipping away at state power, or bypassing intermediate levels of government altogether. For example, entrepreneurial districts, such as Denver, Nashville, New York City, and Washington, D.C., have set themselves apart from other levels of government and led the nation with experimentation around teacher incentive and compensation policies (Koppich & Rigby, 2009; Springer, 2009). In other cases, districts have stepped in to take advantage of new opportunities for control. Many California school districts opted to move most of the newly flexible "Tier 3" funds into their general funds to balance budgets and avoid teacher layoffs—casting aside state priorities defined by the once-protected, individual categorical programs (Fuller et al., 2011; Stecher et al., 2012).

This brief analysis of the IGR landscape illustrates the shifting relationships among the federal, state, and local governments in education. As to be expected in a federalist system that depends upon lower levels to carry out policies, states and districts have at times established considerable independence from federal policymakers by evading or modifying policy to meet local needs (Berman & McLaughlin, 1977). As such, the power of all three levels of government simultaneously has been growing. More recently, we have seen not only these same implementation-related assertions of power but also more confrontational governance disputes. We examine these local-level trends next.

Current Trends in Intergovernmental Relations

We have chosen three current education policy initiatives to illustrate the dynamic interactions among the three levels of government and the ways in which local policy actors have retained and, in some cases, gained power despite new federal assertions of authority. Chosen for their currency and richness, these cases present a wide range of arenas in which the importance of local actors is paramount. Consistent with the past, local actors in these examples have maintained control through strategic implementation—selectively implementing aspects of policy while ignoring or making weak attempts to implement others. Yet, we also observed a second power mechanism at play: local

actors directly challenging governance arrangements and defying traditional decision-making authority. These three cases also provide evidence of the complexity of relationships between local actors and the other levels that claim governance authority over them. In some cases, local actors work cooperatively with their states to challenge federal control, whereas in other instances they work against their state to pursue their own interests (which may or may not align with federal policy).¹ In the following sections, we analyze three education policy initiatives (in chronological order): the No Child Left Behind Act, the Common Core State Standards, and local empowerment policies.

No Child Left Behind Act of 2001

The No Child Left Behind Act (NCLB) of 2001 required states to set proficiency standards in mathematics and reading, collect and publicly report data on achievement in these subjects, and implement strong “corrective” actions for districts and schools failing to meet the ultimate goal of all students being proficient by 2014 (including the provision of supplemental educational services (SES) and parent choice to transfer to a higher performing school). This shift in federal policy has had resounding effects on states and districts and relations across levels of the system. Building on prior Elementary and Secondary Education Act (ESEA) reauthorizations and state-level standards-based reforms of the 1980s and 1990s (McDonnell, 2005), NCLB called on state education agencies (SEAs) to shift from compliance monitors to agencies overseeing school and district performance, granting SEAs the ability to take over schools and districts failing to demonstrate results (Hill, Roza, & Harvey, 2008; Murphy & Hill, 2011; Wong, 2008). At the extreme, some states—Louisiana, Michigan, Connecticut, and Tennessee—created turnaround districts, which removed low-performing schools from their districts and transferred school governance and accountability to the state board of education or governor.

The Obama administration’s introduction of waivers from NCLB presents one way to relieve the mounting pressure created by NCLB. Faced with escalating targets and consequences, states receiving NCLB waivers have created ways to comply with federal policy intent while protecting their interests and authority.²

Districts in recent years also have asserted independence from federal and state governments by pursuing NCLB amendments and other implementation strategies to protect their interests. Many districts initially deemed ineligible to provide SES under NCLB, because of their identification as “in need of improvement,” worked with their states to push for and win approval from the U.S. Department of Education to offer SES services. These concessions, as one scholar noted, demonstrated the “political power of some districts and federal propensity to engage in bargaining during policy implementation” (Vergari, 2007, p. 331). Other districts made intentionally weak attempts to inform parents of NCLB SES options (e.g., sending home confusing or overly technical letters, creating onerous application procedures) in the hopes of retaining unused portions of the Title I set-aside funding required for SES and choice options (Manna, 2011).

Representing a more confrontational challenge to governance, local pressure is building from districts to open up the

current state NCLB waiver option to include districts in states that have not pursued or received waivers (e.g., California, Pennsylvania, Texas). Seeking relief from sanctions and the required set-aside of Title I funding, many districts are lobbying to regain power over accountability decisions. As the superintendent in Houston recently reported, “We quite frankly believe that our board of education is in the best position to make those kinds of decisions . . . we don’t think we should be shackled by state departments of public instruction” (McNeil, 2012, p. 19). At the time of publication, the U.S. Department of Education agreed to give “careful consideration” to a petition from a consortium of nine California districts seeking a waiver from NCLB (USDOE, 2013). If accomplished, districts obtaining waivers would in effect bypass their state to establish a new federal–local relationship. Although it is too early to say how many districts will eventually appeal to the federal government for their own waivers, these district actions are likely to have ripple effects on state government and other districts within the nonwaiver states—potentially disrupting the traditional governance arrangements by putting the “winning” waiver districts at the center of gravity in accountability, along with the state winners, and pushing all others to the fringe.

Common Core State Standards

Following the push for state standards in the 1980s, national organizations, like the National Council of Teachers of Mathematics (NCTM), published subject-matter standards of what students should be taught in every school in the United States. By the 1990s, NCTM standards were used as a model by 40 states and were viewed as very influential in shaping state standards (McDonnell & Weatherford, 2012; Rothman, 2012). These events laid the foundation for the 2009 launch of the Common Core State Standards (CCSS), an initiative aiming to align state curricular standards and expectations for students across the nation. Another key goal of the CCSS is to have students graduate from high school prepared for success in college and careers; these standards are touted as rigorous and relevant to the real world. The CCSS in mathematics and English Language Arts (ELA) were released in 2010, and to date 45 states adopted the mathematics standards and 46 the ELA standards. The states are now in the early stages of implementation, familiarizing educators, parents, and the business community with the CCSS, training educators to teach in ways that support the CCSS, and developing CCSS-aligned instructional materials.

Although the standards are voluntary, the federal RTTT initiative provided a significant incentive to states for widespread adoption. To be eligible for RTTT funds, states had to adopt “internationally benchmarked standards and assessments that prepare students for success in college and the work place” (USDOE, 2009). It is widely acknowledged that eligibility for RTTT funding provided a major push for states to adopt CCSS.

Although much of the CCSS’s roll-out and early implementation is occurring at the state level, school districts are also playing a central role. Although Alaska decided not to adopt CCSS statewide, the Anchorage School District (ASD) board voted otherwise and opted in. “We wanted to compare our district to comparable districts,” said the ASD Board President. “Seattle,

Portland, Cleveland, Austin. . . . We want to compare ourselves not only in size but demographics” (Hintze, 2012, p. 1).

In other cases, districts are responding to the CCSS through strategic implementation, adapting policies in ways that meet local needs and retain their authority. New York City, for instance, is leading implementation of the CCSS, whereas the state is in a supporting role issuing Request for Proposals to develop curriculum and instructional materials. New York City Department of Education set a goal that every student in grades K–12 would experience a performance task in English Language Arts (ELA) and mathematics before the end of the 2011–2012 school year. The Miami-Dade and San Diego school districts, with large English learner (EL) populations, have taken the lead in Florida and California to align EL instruction with the CCSS. Similarly, the Chelmsford school district in Massachusetts is targeting its CCSS efforts toward special education students by incorporating Universal Design for Learning and Response to Intervention tools and techniques into local schools, as a model for the rest of the state.

Local Empowerment Policies

A major thrust of state and local policies in recent years has been to open up public education to a more diverse set of service providers and players. These efforts have created opportunities for nonsystem actors to grow and challenge traditional governance relationships. In almost all cases, these policies have empowered new local actors, many of whom are not part of the traditional system and are independent from local school districts. We consider two policy cases: charter schools and parent trigger laws.

Charter Schools

An important goal of the charter school movement was to bring nontraditional service providers into the “business” of public education and to break up the monopoly of public schooling. Many charter schools are operated by nonprofit and for-profit organizations, in addition to traditional public agencies (Wohlstetter, Malloy, Hentschke, & Smith, 2004a; Wohlstetter, Malloy, Smith, & Hentschke, 2004b). The numbers of charter schools during the past few years have expanded exponentially, with federal policies encouraging growth. NCLB waivers and the RTTT grant competitions have pressed states and districts to remove restrictions on the growth of charter schools as a condition of receiving waivers or grants, and in the 2011–2012 school year, there were over 5,600 charter schools, enrolling more than 2 million students (National Alliance for Public Charter Schools, 2012). The U.S. Department of Education’s recent grant program to replicate and expand high-quality charter schools is another related policy. The rapid scale-up of charter management organizations (CMOs) has also contributed to the rise in the number of charter schools.

Initially many observers viewed charter schools as disruptive, creating friction between charter and noncharter public schools. Despite federal support for charters from both Democratic and Republican administrations, many school districts have been embroiled in polarizing debates about whether charters are “faux” public schools, which cream-skim top students from

traditional districts, or whether they are “real” public schools that educate all students, including ELs and special education students (Wohlstetter, Smith, & Farrell, 2013). In fact, one could view the growth of charter schools as weakening the authority of local districts (fewer schools under their direct control), while at the same time, offering the most basic form of local control through the empowerment of local citizens—parents, teachers, and community members.

In recent years, there has been considerable attention at all levels of government to encourage district-charter collaborations with mutually beneficial partnerships. One effort to advance this collaborative approach has been the portfolio district strategy adopted in more than 25 urban districts nationwide.³

Districts adopting the portfolio approach do not view the district as the sole provider of schooling services, but instead strive to create a more diverse set of providers that families can select from, including charter, magnet, and district-run schools. The portfolio district model allows for new players to operate schools but still consolidates authority and responsibility for public education within a single local “unified” school district, which retains the right to remove low-performing service providers. One could view this model as a district strategy for managing the governance challenge of charters and limiting the friction created by introducing nontraditional actors into the system. Experiences in some portfolio districts, however, indicate that challenges to governance arrangements have the potential to be quite disruptive. In Los Angeles, for example, recent union-negotiated modifications to a district portfolio-related initiative greatly limited the ability of independent charter schools to participate (Marsh, Strunk, & Bush, 2013).

However, for the majority of districts nationwide lacking the capacity or will to implement portfolio or other collaborative models, the proliferation of charter schools remains a significant challenge and threat to district authority, because charter schools are protected by waivers from many district and state rules and regulations. Thus, the growth in autonomous charter schools removes a potentially important link in the intergovernmental chain and could greatly inhibit efforts at the state and district levels to enact policy by reducing the number of traditional public schools under their jurisdiction.

Parent Trigger

A second, more recent local empowerment policy is the parent trigger law, which was first enacted in California in 2010 to involve parents in decision making around chronically low-performing schools. Since 2010, six other states have passed parent trigger laws and the policy has been considered in at least 25 other states (National Conference of State Legislatures, 2013).

In California, the law was launched by Parent Revolution, whose mission is “to transform public education by empowering parents to transform their underperforming schools through community organizing” (Parent Revolution, 2012). To be eligible, schools must be designated under NCLB as in need of improvement Year 4 or above (meaning they have failed to make proficiency targets multiple years in a row) and score under the state’s target of 800 on the state metric, the Academic Performance Index. Under the law, if at least 51% of the parents or guardians

in an eligible school sign a petition, the district must implement one or more of the four “turnaround” models specified under federal NCLB—ranging from those that require staff changes and greater autonomy over staffing and budget to more radical options such as charter school conversion or closure.

With parent trigger laws, states have bypassed the authority of local districts and empowered parents with unprecedented decision-making rights over the governance of local schools—leading to considerable disruption. Attempts to invoke the parent trigger in two low-performing schools in California resulted in prolonged, contentious, legal battles. In the Adelanto school district in Southern California, the school board invalidated more than 90 parent signatures by allowing parents to rescind their votes. A group of parents then sued the school board in court for invalidating the parents’ signatures and a superior court judge later ordered the board to accept the petition to restructure the school. After the board rejected the parents’ preference for a charter conversion, citing insufficient time to open a charter school before the start of the school year (Cavanaugh, 2012; Hechinger Report, 2012; Watanabe, 2012a, 2012b), yet another legal battle ensued. Ultimately, a judge ordered the board to allow the school to open as an independent charter campus under the management of a charter management organization selected by the parents. The new school is expected to open in the fall.

Much like charter school expansion, parent trigger laws pose a significant threat to the local authority of school districts. Under parent trigger laws, traditional governance arrangements over who controls public schools shifts from the local school board to the parents of students attending the low-performing school. Exacerbating the district’s loss of power is the fact that Parent Revolution helps organize parents to strategize about potential solutions for turning around the failing school, including the charter school option. If selected, the conversion to charter status effectively removes the new school from the traditional district jurisdiction, thereby reducing the scope of its authority.

In summary, all of these policies illustrate the significance and diversification of local actors shaping current education policy. In some cases, school districts are asserting greater authority over accountability and standards policies—through strategic implementation or confrontational challenges. In other cases, new local actors (charter school leaders, parents) have gained considerable power over decisions traditionally handled by governmental authorities. Thus, despite federal efforts to gain more control over policy, we are seeing a strengthened role of local players.

Underlying Forces Propelling These Shifts

What explains these shifts in intergovernmental relations? Despite the greater reach of federal government into educational policy making, how have local actors managed to assert power? First, long-held values of local control are powerful forces pushing against attempts by higher levels of government to assert greater authority (Superfine et al., 2012; Timar, 1997; Tyack, 2002; Wirt & Kirst, 2005). As Grissom and Herrington recently observed: “Norms around local control continue to be strong and appear not to have softened even in the face of substantial incursions by federal and state governments” (2012, p. 12).

School districts pursuing NCLB waivers and making weak attempts to communicate SES options to parents are but a few examples of local control norms at play.

Politics have also fueled battles over authority at all levels of government. A recent wave of politics embracing decentralized autonomy, market values, and competition may help explain several federal and state legislative actions that have attempted to fragment the local terrain—most notably efforts to advance the growth and scale-up of charter schools. As Henig (2013) has argued, educational decision making has also more recently found its way into more general-purpose government and politics: once dominated by single-purpose, education-focused governments and interest groups, education policy is now greatly shaped by a broader set of voices.

Perhaps the most significant undercurrent, however, is the economic recession. Most states are facing significant deficits (Murphy & Hill, 2011; Oliff, Mai, & Palacios, 2012), making new competitive grants “irresistible,” as Vergari (2012, p. 25) observed. The seismic waves created by federal competitive grant programs such as RTTT—whose eligibility requirements caused significant changes in state policy and widespread adoption of CCSS—also derive in large part from states’ desperate needs for funding. Nationally, these financial constraints have exacerbated the already weak capacity of SEAs, which have been historically underfunded and understaffed (Lusi, 1997; Fuhrman & Elmore, 1990; Sunderman & Orfield, 2006; Usdan & Sheekey, 2012).⁴ The limited capacity of state government has provided even greater opportunities for the local level to shape education policy, which perhaps explains the shifts observed in district policy activism in response to NCLB and the leadership many districts are asserting in CCSS implementation.⁵

The economic crisis has also created greater opportunities for the philanthropic community to shape the intergovernmental landscape. For example, foundations have leveraged federal efforts to expand its influence in the domain of charter schools and teacher policy, particularly in the areas of evaluation and performance pay. One study estimates that philanthropic funders have contributed \$684 million between 2000 and 2008 to “reshape teaching policy” (Koppich & Esch, 2012, p. 88). The Gates Foundation, for instance, has invested in almost all of the policy examples we have discussed, including technical assistance to states to help develop RTTT proposals, and funding for the CCSS, charter management organizations, and Parent Revolution. This symbiotic relationship has reinforced and propelled the current direction of federal policy while simultaneously offering new opportunities for local players to assert control.

Conclusion

Our intent in this essay was to rethink a common assumption about intergovernmental relations in education. Observers have noted the expansion of the federal government’s role, but this is only part of the story. Federal efforts to exert control have likewise strengthened local actors’ influence on policy, in part because the ability of higher levels of government to achieve policy goals rests on local implementation, which in turn strengthens the policy influence of districts and other local

actors. The three case studies of innovative policies demonstrate the resurgence of the local role in education policy making through local variations in implementation and governance disputes. Furthermore, we found that locals can exert power when their state is aligned with federal policy, but also when their state acts in opposition to federal policy.

Our analysis suggests several other ideas about the nature of IGR. First, IGR is not a zero sum game (Cohen, 1982; Fuhrman & Elmore, 1990; Grissom & Herrington, 2012; Spillane 2004; Superfine et al., 2012; Wirt & Kirst, 2005). As one level gains power in certain domains, other levels may simultaneously acquire power in the same or a different set of domains—as evidenced by changes in IGR under NCLB. Second, relations among federal, state, and local governments are bidirectional. As the CCSS example illustrates, federal/national policy often requires states and districts to alter local policies, and conversely, decisions made by states and districts can also influence federal decisions (Fuhrman & Elmore, 1990). The feedback loops common to IGR are bidirectional.

In looking toward the future, our analysis raises important questions for scholars and practitioners to consider. First, the policy examples call attention to the evolution of IGR as policies move through development and implementation. One level of government's assertion of power over another during policy adoption may shift in the implementation phase, when the "weaker" level negotiates, circumvents, or alters the intent of the policy. With this in mind, how will the various levels of government ultimately respond to change as policies move from their nascent stages? Once states administer CCSS-aligned assessments (expected in 2014–2015) and results get tied to accountability systems, will we once again encounter the federal-state-local friction observed with NCLB?

A final set of questions relates to the external context and system capacity. The economy is clearly putting a strain on states and districts to execute on expanded roles and authority. A weak economy could exacerbate the perceived and real threat of charter schools to the viability of local districts and the capacity of state government to wage battle with local actors. A lack of funding could also halt the federal government's reliance on incentive-based reforms, which will have ripple effects on lower level actors. In the face of fiscal constraints, will other nonsystem players—foundations, intermediary organizations, and parents—step in to compensate and what effect will they have on the intergovernmental landscape? Future research might examine these nonsystem players, the strategies used, and the conditions necessary for bringing together federal, state, and local governments in productive ways. Should governance disputes continue to spur legal action, as witnessed in local empowerment policy examples, it behooves researchers to also consider the critical role of the courts in mediating and shaping IGR.

Looking forward, IGR will continue to be an evolving story. The evidence presented here asserts the position that the U.S. system of federalism is changing. While recent scholarship highlights federal and state efforts to exert more control over education policy, these efforts, as we argued, have in many ways strengthened the significance and diversity of local actors. Localities are shouldering the largest share of the costs for

public education and a complex set of local actors have gained considerable leverage over the enactment of policy. As the economic and social conditions of our country continue to change, we are likely to see ongoing shifts in federal–state–local relations. It behooves policymakers and researchers alike to pay careful attention to these trends and assess who should control our schools in ways that produce substantial improvement in public education.

NOTES

We want to thank the anonymous reviewers for their helpful comments which greatly improved our article.

¹Although our examples herein demonstrate local actors bypassing the state to align with federal interests, there are many other examples of locals acting against the state in ways that conflict with federal interests (e.g., districts that initially signed on to participate in their state RTTT program and later dropped out, because they were not successful in meeting the conditions of the grant).

²With the opportunity for NCLB waivers, however, comes even greater responsibility for states. For example, waiver eligibility requires states to develop accountability systems that factor growth into school performance metrics; provide differentiated interventions for the lowest-performing 15% of schools; and create personnel evaluation, drawing on multiple measures. These conditions also serve to advance the Obama administration's priorities.

³Baltimore, Chicago, Denver, Hartford, New Orleans, and New York City are among these districts. For additional information about the portfolio approach to school districts, please see Bulkley, 2010; Hill and Campbell, 2011; Lake and Hill, 2009.

⁴A wave of reports have recently documented the declining capacity of SEAs—including resources and expertise—raising questions about their ability to execute on their new roles and authority and sustain reform (Brown, Hess, Lautzenheiser, & Owen, 2011; Center on Education Policy, 2011, 2012; Murphy & Hill, 2011).

⁵Spillane (2004) and others have long argued that because of limited staff and expertise, states have relied on districts to help implement their policies. The current economic conditions may have magnified this situation, providing an even greater capacity gap that districts have attempted to fill.

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