



## **Testimony to the Joint Committee on State Administration and Regulatory Oversight**

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Chairwoman Wilkerson, Chairman Cabral, members of the Committee, thank you for this opportunity to testify today. I am Charlie Chieppo and with me is Jamie Gass. We represent Pioneer Institute, a non-partisan public policy research think tank.

The issue before the Committee today – the Governor’s proposed Article 87 legislation to change educational governance – would, we believe, deliver a staggering blow to the unprecedented education reforms that have, over the last 15 years, made Massachusetts the unquestioned leader in K-12 student achievement.

The basic, successful compromise of 1993—an enormous injection of new state funding, in exchange for strict accountability—is now at risk. For this reason, Pioneer Institute opposes the Governor’s educational reorganization plan.

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Founded in 1988, Pioneer Institute is a non-partisan public policy think tank committed to keeping Massachusetts economically competitive and to strengthening the core values of an open society. The Center for School Reform seeks to increase the educational options available to parents, drive system-wide reform, and ensure accountability in public education.

Our main concern is protecting the integrity of an independent state Board of Education:

**1) Since 1837, when Horace Mann became the first head of the Massachusetts Board of Education, it has been an independent policy-making body, insulating K-12 education policy from electoral politics.** It is the oldest, most respected independent education board in the history of American public education. The board's independence is Mann's legacy and the reason why a statue of him sits in front of the State House.

**2) Since 1993, and particularly in the last 10 years, an independent BOE has ensured the continuity of education reform, even as Governors and legislative leaders have come and gone.** Among its accomplishments are reforms like charter public schools, teacher testing, the MCAS test, accountability, and state curriculum frameworks. All national models; the envy of the rest of the country.

Governor Patrick's plan would give him immediate control of the board by removing the Commissioner of early childhood education and Chancellor of higher education and replacing them with his own appointees. It would also truncate the terms of board members cherry picked by the Governor.

Perhaps the clearest picture of what the plan would do comes from the recent Commissioner search process. The Board of Education unanimously chose an eminently qualified candidate who was clearly not the administration's first choice. Had the process occurred under the structure Gov. Patrick proposes, his Secretary of Education would have had veto power over the selection of a no-longer-independent Board.

The proposal would also subordinate the Board's independence to a new Secretary and executive bureaucracy, and strip it of its budgetary authority. If this plan is approved, the Board of Education will be largely ceremonial, and the new Commissioner, the first from out-of-state in over 20 years, little more than a department head. The proposed secretariat would also house the state's accountability functions. Even though the incoming Commissioner's particular area of expertise is accountability, he will have no authority over its policy development.

Education secretariats have been created twice in recent decades, only to be abolished. In 2003 and 2005, secretariats were proposed, but rejected by the Legislature.

In 2003, current Board of Education Chairman Paul Reville testified against the creation of a far weaker education secretariat, claiming it compromised the independence of education policy making. Rather than respecting the independence of education policy making, the Governor's plan would create a Secretary far more powerful than those proposed in 2003 and 2005.

**3) With this reorganization proposal, Governor Patrick has asked for unprecedented executive authority over K-16 education in Massachusetts.** Yet the deliberations of his Readiness Project have been conducted largely behind closed doors and will not be revealed until months after the Legislature decides whether to give the Governor the wide-ranging policy authority he seeks. As a legislator said recently on another such plan, "Forget the cart - this is putting the entire wagon train before the horse." How can additional

authority be granted when nobody has any idea what that new authority is going to be used for? This has unfortunately been the pattern of many recent proposals from the Governor's office.

**4) Diminishing the independence of the Board of Education and placing it under the Governor's control politicizes the board like never before in its history by removing its distance from electoral politics.** It will diminish the Board's role to undertake difficult reforms and make objective decisions without the intrusion of political pressures. Had this plan been in place at the time of the 1993 Massachusetts Education Reform Act (MERA), it is probable that we would not have had an accountability system, standardized testing, rigorous charter school approval and closure processes, teacher testing, or curriculum frameworks that are considered the best in the nation. It is highly unlikely that Massachusetts would have gone from 8th or 9th in the nation on the National Assessments of Educational Progress, in the early '90s, to being the top performer on all four categories of NAEP in both 2005 and 2007.

**5) Politicizing the board puts teachers and school children in the unenviable position of being subject to the possibility of 180-degree policy changes with the election of each new governor.** Every four years, there will be the risk that drastically new policies will be advanced, and the entire universe of locally managed schools will be subject to ever-changing policies. The reforms undertaken since passage of the Education Reform Act in 1993 have, because of the independence of the Board, been for the most part consistent with the vision set forth in the spirit and intent of the MERA. While these reforms have been difficult, they have

been coherent, and they have, without doubt, led to enormous improvements in the educational achievement of the Commonwealth's students.

It is, finally, worth underscoring the important role of business in crafting the education reforms of the 1993 MERA. Over 200 executives played a significant role, under the leadership of Jack Rennie and William S. Edgerly, in articulating the vision of the MERA, together with legislative leaders of the time, including leaders in the Senate and the House, as well as with the administration. The premise for the reform was fairness in funding, as well as ensuring that our schools were helping produce an educated workforce that would be the envy of all other states in the union.

We have largely achieved this goal, though we have yet to reach the important goal of eliminating the achievement gap. This bill will undermine the enormous strides we have made and put at risk the greatest economic asset we have in Massachusetts – our highly educated workforce. It is worth remembering, as former Senate President Thomas Birmingham reminded all of us at a recent Pioneer Institute forum, that Massachusetts “is a state that prospers, but not because we have a vast abundance of natural resources. We prosper by our wits.”

For all these reasons, we find this plan deficient. Passage of this legislation would be a setback to the future of the children of the state. At the very least, the plan should not be considered until after the Readiness Project reports its findings, at which point the Legislature can understand how the Governor's centralized power will be wielded. We thank the Committee for the opportunity to share our opposition to the reorganization plan.