



STATES' IMPACT ON FEDERAL EDUCATION POLICY
ORAL HISTORY PROJECT

An Oral History Interview with

MICHAEL W. KIRST



Interviewer: Anita Hecht, Life History Services
Recording Date: November 2013
Place: Palo Alto, California
Interview Length: 2.25 hours
– Oral History Interview Transcript –

Project Background

While U.S. education policy is widely discussed and well documented, the impact of our nation's states on that policy has received much less attention. Launched in 2003 and led by the New York State Archives, the States' Impact on Federal Education Policy Project has worked to create and foster the use of a comprehensive, accessible, nationwide historical record that documents the efforts of states to affect U.S. education policy since the mid-twentieth century.

The Project has connected leaders in state and national education with archivists to ensure the preservation of and access to the record of education policy, and supported sustainable connections between the two communities. The policymakers are themselves repositories of stories and wisdom not captured in the written record. The interviews presented here enrich the written record of education policy during this dynamic and critical period. Our narrators helped to shape the course of education policy in the United States over the past decades. We invite you to learn from their unique experiences and perspectives.

To the Reader

This printed transcript is a lightly edited record of the original oral history interview recorded in November 2013 between Michael W. Kirst and Anita Hecht of Life History Services, LLC, on behalf of the States' Impact on Federal Education Policy Project of New York State Archives. This transcript is accompanied by a digitally audiotaped oral history interview, as well as a narrative biographical summary of the narrator, both housed at New York State Archives.

Oral history interviews contain first-person accounts of historical events, individual experiences and significant memories. In this spirit, let it be understood that these interviews do not attempt to recount "absolute truth." Instead, they intend to relate the stories that hold meaning for the particular narrator. Interviews are not always chronological or complete with regards to specific data. Accuracy is always the goal, though there may be corrections, and certainly additions, to any oral history.

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Interviewing & Production by Life History Services, LLC
www.lifehistoryservices.com / 608.255.9669
Madison, Wisconsin USA

PROJECT NAME: THE STATES' IMPACT ON FEDERAL EDUCATION
POLICY ORAL HISTORY PROJECT
Verbatim Interview Transcript

NARRATOR: Michael W. Kirst

INTERVIEWER: Anita Hecht

INTERVIEW DATE: November 19, 2013

INTERVIEW LOCATION: Palo Alto, California

INTERVIEW LENGTH: Approximately 2 Hours, 15 Minutes

Editor's note

This document is a verbatim transcript of the oral history interview with Michael W. Kirst conducted on behalf of the States' Impact on Federal Education Policy Oral History Project of New York State Archives. The transcript has been reviewed, edited for clarity, and in some cases, supplemented by the Narrator with additional materials or notes. Audiences listening to the recorded interviews alongside the transcripts will note slight differences between the print transcript and the recorded interview, due to this editing process. In all cases, these changes have been reviewed and approved by the Narrator.

KEY:	ESEA	Elementary and Secondary Education Act
	NCLB	No Child Left Behind
	NEA	National Education Association
	NGA	National Governors Association
	NAEP	National Assessment of Educational Progress
	ECS	Education Commission of the States

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HOUR 1

Hour 1/00:00
Educational/Professional History, Interest in Public Service, Employment with Bureau of Budget/US Office of Education

The date is November 19th in the year 2013. My name is Anita Hecht, and I have the great pleasure and honor of interviewing Michael W. Kirst on the campus of Stanford University in Palo Alto, California, on behalf of New York State Archives and the States' Impact on Federal Education Policy Oral History Project. Welcome to this interview and thank you for agreeing to participate.

Right.

We're here to record the stories of the last fifty years of education policy and the impact that the states have had on its development and its implementation. So just by way of entry into that topic, I'd like to learn a little bit about you and your personal history and maybe get an overview of your professional trajectory as it relates to education policy. When and where were you born?

I was born in West Reading, Pennsylvania in 1939.

And tell me about some of your family influences.

Well, they were not particularly interested in politics. It was a Republican area that I lived in. But I became very interested in history and social studies. Everybody I knew thought Harry Truman was terrible, and I thought he was terrific. So I was sort of politically aware and interested in politics and history from the beginning. That was a specialty that I would carry out through. I graduated from high school in Wyomissing, which is just outside of Reading, Pennsylvania, public high school. And then went to Dartmouth College and majored in economics – with some strong program in government – but primarily in economics. I wanted to go into government. I took an internship in 1960 through an economics professor. I was a junior in college at Dartmouth – got me this job with the Department of Labor, in the legislative liaison branch of the Department of Labor. It was fantastic! I was over in the capitol and all that sort of thing. So I got the whole Washington bug and wanted to go down to Washington.

Let me ask you, just to interject for a moment. Your primary and secondary education were public?

Yeah.

And did you have any thoughts about how your education inspired these interests, or any people?

No. I think they were there, but there was a particular high school teacher, who was also the assistant principal, who had been to Columbia Teachers College, and he was doing history – problems of democracy and government. He was very, very strong as a teacher, but I was already interested. He just intensified it. But since he was also – yeah, he was principal as well. He was a teaching principal. He wrote recommendations for me that I think were crucial in getting into college. And was very aware of which colleges had strong programs in government. He really pushed Wesleyan University in Connecticut, which I went to visit, which was not a big name school. So I looked at that. But then I really found a better fit at Dartmouth for what I wanted.

It's interesting to hear how individuals can change our path?

Yeah. *(affirmatively)*

Teachers as mentors.

That's right. Then the teacher that got me this internship in Washington – I mean, that's really rare – a paid internship! And since Reading was near Philadelphia, it wasn't all that far away. I lived there, worked there three months when I was then twenty. So that was very influential.

So I wanted to go into public service. At that time, the way into public service was a master's degree in public administration, which I had. I was really very attracted to the Syracuse program, which had much more of an applied government bent. But again, these professors at Dartmouth said – No, no. You go to Harvard. You can go to Harvard. They want you, and so on.

You were a good student?

Yes. I was summa cum laude at Dartmouth, so I was in the top ten of the class and Phi Beta Kappa and all that. So I went down to Harvard. I'm not quite sure how the doctorate program came up. *(laughter)* But you could do a doctoral program in what was called political economy and your public administration course work counted towards the doctoral program. So I got a lot of encouragement from the Harvard professors to do that.

Did that, at that point, have any relationship to ed policy yet?

None whatever. In fact, the first course I had in education is the one I taught at Stanford in 1969. I wished to heck I had – we were right next – at the government school – now called the Kennedy School of Public Policy – we were right next to the education school. Never thought of going over there. So I decided to stay on for the Ph.D. It took me three years total to get a master's degree and a Ph.D. So I'm now I'm twenty-four. The dean at the School of Public Administration at that time – I said I wanted to go to Washington and he said – well, you ought to go to the Bureau of the Budget. And I said – well, how's that work? He said – I make phone calls and they interview you. So I went down to the Bureau of the Budget, which is now a sub-

part of the Office of Management and Budget. But at that time, was located in what is now the Executive Office Building, right next to the White House – now they call it the White House.

So they interviewed me and they said – you look good. We have openings in veterans, water pollution, and K-12 education. You can have any of those three. Those are the openings. And I said – well, if that's the choice, I'll take K-12 education. So that's how we're having this interview today. If there'd been another option, I would have gone another direction. The Bureau of the Budget idea was you had this general training and you were not to be hooked on an area or too sympathetic to it because we were supposed to watch the budgets. So they didn't want somebody from education because they thought they might be too much of a pro-education person. That was the style of it.

So I got into that right then. There was this task force led by the late John W. Gardner who, ironically, my wife was his executive assistant – not at that time, later on – but anyway, that was studying K-12 education. Johnson used these task forces to gin up his programs for the Great Society. He appointed these presidential task forces. So I worked on that, and then worked on the legislation that went through. Wrote memos directly to Johnson. I remember talking with him once. We recommended that Title I, the big program, be seven hundred and fifty million, because we had worked all this out with our numbers. And he said – I want a billion dollars. He wanted the number – a billion dollars. So Title I was a billion dollars.

So we were obviously involved in that. I found the Budget Bureau really interesting, but you I really got more interested in being closer to the programs. We were very high level, very fiscal. I

wanted to really see what it was like for government programs to go out the door and what happened when they got to schools.

So I moved over to the US Office of Education, and I worked as the second person hired by the director of Title I. I worked on that and then went for a while to another job with the White House Fellows. The director of that also handled a national advisory council on Title I. So I was one of the few people that could do both those jobs with my Harvard background and my Title I background. So I did that. That was fantastic.

Situate me in the years. What years are we talking about?

Okay. It was '64 in the Budget Bureau and then into '65 – I stayed there about a year and a quarter and went over to the US Office of Education. In '65, when the initial – or was that '66? Yeah, it was either '65 or '66. I think it was '65 – '64 was the Budget Bureau, '65 was the Title I program in the US Office, '66 was the White House Fellows, and then '67, I moved up to the Congress to be the Chief of Staff of a senate subcommittee on Employment, Manpower and Poverty.

Hour 1/10:05
Employment with Stanford University, Appointment to State Board of Education,
Involvement With State Policy, History of Education Governance

That got me into stuff I work on today, which is more job training, manpower training, workforce training. So it was education, but at an older level of people than little kids, say. Then

the senator I was working for lost – Joseph Clark of Pennsylvania. Humphrey lost. So I had got this offer from Stanford and came out here. They wanted me to set up an MBA/MA program that would be a dual degree between the two schools. I created that in 1969, and in 1971, we graduated our first graduates and we have run that ever since. We have the only dual degree program – MBA/MA – where it's simultaneous – you get it in two years – that I know of in the world. I don't know of another one in the United States. There may be one somewhere in the world, but I doubt that. But anyway, I did that. And then I taught education and policy and politics.

But the main thing Stanford wanted was to recruit somebody who knew about this federal education aid. Because this was a new thing and was really growing and really hot. So I was one of the few people that knew this and had a Ph.D. And they could care less whether I had an education degree. They just wanted somebody that knew the education policy. In fact, Stanford had a tradition of hiring disciplined-based scholars who applied their work to education. So I came out and did that and taught. And my courses were the Politics of Education – that was my real specialty – was who controls the schools? So I have a book with that title. So without arguing what the policies ought to be, it was really – who controls it? It was pure political science in the sense of – the policies are analyzed for the politics of them, not for the effectiveness of them. So then I also taught education policy, which would be obvious, and then federal and state Policy as well.

So I had this interest in getting staying involved with the actual policy making. And so through some mutual friends, I met Jerry Brown as a candidate – advised him in his initial campaign in

1974 on education, which was a big issue in the state at that time. And then was appointed by him to the state Board of Education and worked a lot directly with him, personally.

In 1975?

In 1975, right. So we were both thirty-five and the same age, and we got along. He's very philosophical and likes intellect. And so all this political theory I've had – Spinoza and Rousseau – he liked to talk about all those kinds of people. I was one of the few people that was in government that could talk to him about all that because I'd had all that at Harvard. So we would have these long intellectual conversations as well – John Locke and so on. He would know more about Catholic philosophy than I would, so we'd debate that and so on.

So you were on the Board of Education?

From '75 to '81, and I was president from '77 to '81. And then after I left, I created a think tank called Policy Analysis for California Education, which exists today. I just met the director for lunch. Our goal was to "speak truth to power." And it was a very unusual thing. It was a professor at Berkeley, Jim Guthrie, and myself. We then added USC [University of Southern California], a professor down there. We were really oriented around going to the state capitol and saying – what do you need to know? What policy problems are on your agenda that we can work on? I mean, I can't work on everything. We never knew anything about school construction. Then we would work on the problems that they actually faced and write analytical university-based research papers on their problems.

So I remained a figure in Sacramento in all that interim through PACE [Policy Analysis for California Education] and a frequent commentator in the paper as a neutral Stanford professor and so on. So I was still involved heavily with state policy, some federal policy. I chaired a national research council panel on international comparisons of education; another one on the National Assessment of Educational Progress [NAEP]. I worked for them. I worked a lot for the US departments, particularly when there was Democrats in, on administrative issues – making Title I more effective. Wrote a lot about federal aid and so on.

And then when Brown ran again in 2010, I came back again as campaign advisor and then was appointed the president again.

Of the Board of Education?

Yes. So the really incredible thing is I started off thinking the federal role was too weak. We need an aggressive federal role and we needed to push around the states as much as possible. And now, I think everybody would say that California and the federal government are more at odds over federal control than any state. The papers here call it a “cold war” between the state of California and the federal Department of Education. The cold war has been used as a frequent term. And who's right in the middle of that, pushing back on the federal government? Me. So *(laughter)* – with the governor's support. So the tables have turned some. My fiftieth year of public policy and politics and education will be the year 2014. We're very close to that. We're a month and a half away.

One would think fifty years later, maybe the federal government's become too overbearing and doing too much detailed prescription for states. And so when people have suggested – what have you learned in all those years? My immediate answer is – I've learned a lot of humility. I had a lot more answers when I was thirty-five than I have now. It's very complex. My general view is now that the specification by the federal government at the level Arne Duncan is doing it is as Governor Brown wrote and I'm quoting from a Brown's letter – "You need to proceed with more humility," says Brown in an open letter to Duncan. *(laughter)* It's too big and too diverse a country to be as precise as you are. Do it my way, and not only what you must do, but how you must do it.

Well, it's a huge history. And, in fact, in 2015, it's the fiftieth anniversary of the ESEA [Elementary and Secondary Education Act] too.

Yeah, that's right. I've worked in many, many states. So I've been a consultant to. I've got a reputation as a specialist in state government, and so I've worked for many state governments over the years and been in more than half of the capitols.

Great. So we can really talk about this vector of states' influence on the feds, or whether they were able to impact or not able to impact what was happening at different stages in the development of policy over time.

Right.

Maybe we should address it chronologically. Given that you go back to the inception maybe you could talk a little bit about the origins of the structure and the deference to the states as this program was put in place, and why that was structured in that way to begin with.

Education is a reserve power of the states, and the Tenth Amendment. So that of course established the state role early on. But the whole history of education governance has been that the states delegated most of their power to the local districts. The State Department of Education in California in 1900 had about ten people in it. And we had thousands of schools districts. We still have a thousand and we got rid of many. It was funded by a local property tax. So the federal government's participation in education until Johnson increased it was around one percent or two percent – very small. I got to the Department of Education, US Office of Education, before it got all the new programs and it was basically program specialists. So they would write things about how to teach reading and how to handle kids who were handicapped. I was there in the revolution, which was with Keppel – we have to get rid of all these people and bring in managers of grant programs. So we need entirely different skills. We don't need these educators. We need people who can manage federal/state relations, have right guidelines for federal programs, oversee their implementation, run systematic evaluations of them.

Hour 1/20:10

Empowering States to Serve as Federal Regional Offices, Tensions Between Fed and States Over Federal Funds, Early Movement of Differential State Policies

There was various times when we had people with nothing to do but read the newspaper. And it slowly got out, and they moved out. And the states began to take more power in the '30s and '40s with the Depression and so on. They still were small agencies. Sacramento was basically a place, when I got there the first time in 1965, that old rural superintendents went to. When you ended up in Siskiyou somewhere, ending your superintendent, and you went out to the California Department of Education – very sleepy place, very rural, and not leadership oriented at all, and clueless on cities. The cities were the best parts of education in many cases. We looked at the cities for – at that time, for example – LA Unified and Chicago and Philly for really cutting edge ideas. They had big professional staffs. They had analysts.

So the state role was to set a minimum floor under the rural schools. You had to have a building and a certified teacher and various programs that were minimal for special ed. It was not an aggressive place at all.

But you said the feds then, did look to the states, especially the cities.

Yes. I was there when we were doing this. With both the Budget Bureau and the US Office of Ed, what were our options? We had no regional office. First of all, there were at that time, probably twenty-two to twenty-four thousand school districts. So relating to school districts – there's fifteen thousand now – relating to school districts was hopeless from Washington. I mean, we couldn't do it. We needed some kind of intermediary to do it. Well, since the US Office of Education had been so small, we had no regional offices that mattered, or that really, in many cases, existed. One option was to regionalize federal education offices and put an office in San

Francisco for two or three states around here or something. And that just seemed like – well, that would have run into the politics of the state superintendents of schools and the Tenth Amendment and states' rights. They would have been mad as hell about that.

It didn't make much sense to try to regionalize. So it was – well, we're going to somehow build up – and we did – build up the capacity of the states and then, as federal officials, bend them more to our will and to priorities that we have, rather than the ones they have, and use them then as, in effect, our regional offices. And so we did that – and that's one of the papers I sent you – over the years by paying for a lot of their personnel. We expanded them dramatically. We wanted them to be strong. They had to be strong. They were our regional delivery system. And so we financed them better. We specified that some of it had to go into planning and evaluation and not just compliance checking. They had to have better statistics and things of that sort. But there was constant tension between where the federal government wanted to go and where the states go. When you're in a state, you have a context that's so different than the federal government, in many cases.

Could you give me an example of one of those tensions? Perhaps in those early years, how a particular state, maybe California, responded.

You had, at that time, the outstanding tensions were in the southern states. So one of my early meetings was with the head of Negro Education in South Carolina. The Civil Rights Act had passed, but they were getting around to a slow desegregation. So the tension issue was where should the money go? As the money went out, it was heavily oriented around disadvantaged

children. Well, one of the pushes was – you shouldn't be doing that in a segregated matter. So we had tension with the southern states right off the bat in that regard.

And who were the players? Was it mostly state government and legislators?

It was state government and legislators and then they complained to their senators and representatives. I would go up to the Hill with the Commissioner of Education – Capitol Hill – to Congress with Keppel or Doc Howe and southerners had quite a lock hold on the committees, particularly the Education and Labor Committee chaired by somebody I worked for – Senator Lister Hill of Alabama. So they had quite a bit of control. They didn't want any federal money and any federal influence for civil rights. We had to enforce the civil rights law. It's a law. And so they brow beat on the administration to let it go slow, cool it, don't be aggressive. The pressure on the White House and democratic northern politicians was – get rid of those things. Get rid of the segregated schools.

Now, nobody will forget Chicago as an example of tension. They don't run a segregated system, although it was a lot of de facto segregation. They never had dual system in the state law in Illinois. In Chicago, there was a tension. The money was to go for disadvantaged children, but the Chicago political machine of Daley was heavily based in white middle-classed areas of Chicago. So we were arguing under the law, and wrote guidelines that said you've got to put the money deep in the south side of the African American population in Chicago. And Daley's people were saying – we got to take a lot of money and put it out in the northwest section out with the Polish out there.

So they pushed back hard. They got the state of Illinois, with their elected state superintendent of public instruction, to side with them. We wrote a guideline and then said we were going to, in effect, take money back from Chicago because it was going to the wrong kids. Mayor Daley called up President Johnson. We got a phone call – Change the regulation! (*laughter*)

Really?

Really.

So in that case, the state was victorious.

The state and the city of Chicago together were victorious. And Frank Keppel was "promoted" to another job. They took him out of the line of authority and promoted him to a nice title with no power. So not only did we overstep the bounds and have to rewrite the regulation, the boss got fired! (*laughter*) At that time, I'm twenty-five or twenty-six years old and we're in the office. I helped to write the regulation and so – woo! So that's the way it went. That's why, of course, politics and policy for me are inextricable. I chose to write more about the politics because, academically, it was just interesting.

So those were the early tensions. We regarded the state school chiefs as a pain in the ass. They would meet every year and we would go to their meetings. They always wanted what I want now – more flexibility, more understanding my context. You know, one size fits all – you need to

bend it a bit. I'm constantly pleading now. California has a population – you can add up the twenty-two smallest states in America and you wouldn't equal our population. So I'm arguing – you've got Delaware and Rhode Island and you're featuring those. I mean, this is ridiculous! We're behemoth. You've got to let us do something different than you can let them do.

So there began to be a discussion, which has finally come about more clearly, of differential state policies. We had standard policies for every state. You sat there and you thought they're all fifty and it applied. So there was a movement – well, maybe you could have something different for big states or something.

How did that movement start? Would it start at the state level?

Hour 1/29:55
NCLB Waivers, Cultural State Variations, Disagreement with Secretary Duncan's Federal Uniformity Policy

It started, yeah, at the state level. And then we began to realize that our policies were too encompassing and blunt, and so on, and not sophisticated enough – not contextual.

You're still talking about the –

It began a little bit in the '60s and then expanded in the '70s, that there would be ways to make different policies for different states. And you see that today in Secretary Duncan's Race to the Top program, but even much more clearly in terms of the historical debate around the NCLB

[No Child Left Behind] waivers. So the NCLB waivers are differential state policy. I'm the chair of a board of one of the few states that doesn't have a waiver. We've never applied for a waiver. And then there's states to our north, like Washington and Oregon, that have very different waivers from, say, New York or Delaware.

So we have, after all these years, gotten to the point where we're beginning to look at differential state policy in a more nuanced way. But we never could figure that one out. I mean, NCLB, which, for example, Gordon Ambach was very active in, that's a one size fits all, no exceptions policy. But Congress gave, in NCLB, the policy to waive parts of the law, to the US Secretary. In the old days – '60s, '70s, '80's, and so on – we never had much power or any power to waive the law.

When I got out here as state board president, half our meeting was waivers from state regulations for particular contexts. And I was thinking – why don't we have that in the federal government? We had one the other day. They had low achievement. We were going to do something to them. And they got impacted by all these Iraqi refugees. How many places – you have situations like that. So we let them out of a whole bunch of things because they had this influx of students.

So you mention these sort of state-by-state variations having to do with population and maybe culture.

Yeah. Culture is a crucial thing. I mean, if you look at – I work for the Navajo tribe, which is in four states: Colorado, New Mexico, Arizona and Utah. So we had to negotiate school finance

arrangements with – okay, Utah has a heavy religious influence. New Mexico is over sixty percent Hispanic and has a very – togetherness Native American Hispanic tradition. They have the only round capitol in the United States, symbolizing that. Okay, you go over to Arizona. It's the most free enterprise, wild west, anything goes state. And you go up to Nevada, and you're essentially dealing with the gaming industry. It dominates the state, and what is the gaming industry interested in?

These cultures are wildly different across the barrier, from Virginia to Maryland. The Potomac River separates two states that have historically gone different ways. And so the tension with the states, to me, has been forcing uniform federal policy on states with different contexts. Now, let's step back to the original. I certainly want to enforce a uniform context on a system of legally segregated schools, right? We would probably agree that I want to force a policy on all states about some rights of handicapped children to have an education and not be saying – you can't come here, you go home – which existed when I grew up in Pennsylvania. These kids were at home. And so there are points when you want the federal government, in my value system, to override. And then there's points where you don't.

Now let's take today. Secretary Duncan says there's only four ways to turn around a school. He has four turnaround models. I would argue there's no research to support only four, and four is too inflexible. Secretary Duncan wants every state to prescribe a detailed and specific teacher evaluation system for every teacher in the state. And I would argue that in some state contexts, that's not wise. We need to be more flexible. So he's taken the federal uniformity, in my view, now that I sit in a different chair, to the nth degree. And he has enormous power under this

waiver authority to make up whatever he wants. But I think it's way too detailed. He prescribes what ought to be a multi-year accountability system. To get a waiver, he told us we had to have three different accountability systems in the next three years. This is the very time we're phasing in Common Core. I don't want any changes in the accountability system now. I think it's a transition period, and I don't certainly want – he had very detailed things he wants. I mean, he's really into the weeds, in my view, and taken it way too far. You're seeing that revolt then, in the Republican Party. I think there will be a pushback, like de Blasio vs. Bloomberg. There'll be a pushback on Duncan that will come from the Democrats and the Republicans when Obama leaves office. So I think the pendulum will swing back more towards the center.

So this tension just constantly goes on. I think scale matters. I think of the state – big/small. I think the context matters, as I've indicated. And then I think there's what I would call policy overload. You can't ask states to do too many changes at once. Duncan wants you to implement Common Core, implement teacher evaluation, and implement new accountability systems all in the same year, or within a year or two period. I think that he risks policy overload that breaks down the state systems.

Now I don't find that the states, through the Council of Chief State School Officers, or the National Governors' Association, or any of these state organizations, have been very effective. They certainly don't represent California, in our view. We keep saying this system isn't working for us in Washington. So they don't seem to be very aggressive in pushing back, and I'm not sure why that is.

In the current day?

In the current day. You have a lot of Republican governors out there that you'd think would be howling more. Instead, they seem to be knuckling under. So I think they're telling their representatives there's a problem, and you hear that in the Republican Congress. But they haven't been very vocal in going public with it. We haven't had much support in California.

So that's a continual tension. As you take a uniform federal policy and you refract it through fifty different states, in that sense, you get a tension between what ought to be the federal requirements that are just standardized in every state – and I certainly endorse some of those – and then you get a question on – well, how much flexibility should be there?

What it sounds to me like is that you endorse the original concept of federal influence around issues that had to do with equity and rights, and that they need to step in in moments when the states aren't protecting those kinds of [rights].

Yes, that's right. I think in those cases, they need to. And the equity argument's largely over. What Duncan's arguing about is not that the money's not going to the poorer kids. So we've succeeded with equity in terms of federal financial flows.

Is that your opinion, that the equity programs have been successful?

Yeah. They have gotten the money to the right kids. They've been successful in those terms. So the early struggle, if you go back to the beginning, in those vignettes I gave you, was how do you get the money to the kids that were disadvantaged and low income and so on and struggling. And we've succeeded in that. Part of the paper I wrote and sent you – we accomplished that by the '80s. It took us that long through the system to really get it right.

So we've accomplished some of these base needs. Now we're into arguments about how you educate children. How do you turn around low performing schools, for models?

And so in that regard, it's inappropriate, in your opinion for the federal government to get involved in the actual operation.

Hour 1/39:55

President Reagan's Opposition to Federal Role in Education, Role of Chief State School Officers, Block Grants vs. Revenue Sharing, Congressional Pushback of Specified Federal Funding Programs

Yeah. When you get down into how to teach – how to take a school that's failing and improve it. I don't think the federal government has enough wisdom, and the context is too varied for them to be as prescriptive as they are. So I think they've overstepped. And I would also argue that there's no research base for a lot of what they're doing as well.

Let's dig in a little bit to some of the sort of significant examples that you can share about states' impact on federal policy, if there are certain moments in history that we can look at that may be useful to dissect for states, which you say now aren't being, perhaps, active enough in the fight or

the struggle against all this federal intrusion and activism. Are there moments in time that you remember where the states, either through the education agencies or the governors, really did have an impact on federal policy – in the shaping of it, the design of it, the implementation?

To go back to the politics of it, the Republican Party, with the exception of George W. Bush, and somewhat George H.W. Bush even, has been heavily oriented around states' rights and state control. They fear big government. They fear aggregating government at the federal level – all of the rhetoric we now hear in the current Republican Party. And they have, to me, largely disowned the detailed interventions of NCLB and George Bush. They have guarded the states' rights over time. It used to be the southern Democrats were guarding the states' rights. So you had the southern Democrats and some Republicans in the '60s guarding states' rights, and you had the more northern liberals and LBJ [Lyndon B. Johnson], who was a Texas new-dealer, really wanting a more aggressive federal role. So all along, you've had the state priority as the Tenth Amendment – and that's the place that education ought to be – enshrined in strong political power bases – southern Democrats and Republicans.

And so you had a president who was a governor named Ronald Reagan, and he had a six word federal policy, which he pronounced – “There is no federal role in education.” He wanted to abolish the Department of Education, create vouchers, and make school prayer legal. That was his program that he ran on. And he had been governor of this great state. And so he had a very strong state bias. He did whatever he could to favor the state perspective. They created much more flexibility, but they faced a democratic Congress and they watered it down. So the Reagan period is a wonderful exposition of this because you have the president – very clear line of

policy, very clear marching orders – told Ted Bell, the Office of Ed – the Secretary of Education – your job is to abolish your department. And they had a task force, which came up with how that would work and it went nowhere. You had to get it through a democratic Congress.

So you had this tension right there. So you have elected various – there's been various people elected. Romney struck those notes and very clearly in his campaign. He was a loser. He lost. But I think that's been true, with the exceptions of George W. Bush. George H.W. Bush – I was around in Washington during that period. He came back in with a lot more federal regulation and control. That was the year of the Education of All Handicapped Act, where he was really enforcing that as well. So he was really a little bit more aggressive.

I think what the State Chiefs and the state organizations have done – I mean, you have the National Conference of State Legislators, and the [Council of] Chief State School Officers, and the National Governors Association. For years, the governors weren't even well organized and they weren't very active in education. From roughly '60 to '80 they were not very much of a player.

Because education wasn't considered [important].

Right. It was over in the Department of Education. You had more elected state superintendents, or the superintendent was appointed by the board. And governors just didn't really get into education. It was not part of their portfolio. It was a holdover from the progressive era of 1900 to 1920, which wanted to take politics out of education. That's when we created independent school

boards that were independent of the mayor. We created 110 Livingston Street in New York, and now we have the mayor running it. It was viewed as education is more of a technocratic subject that you should not really get into as a governor, other than funding. But you shouldn't be getting into the details of whether they're reading by third grade or something, which is now what they're into, and mandating teacher evaluation, and A to F report cards, and so on.

So there was the [Council of] Chief State School Officers, and they tended to try and cut the rough edges off of federal control. But for years, the argument was about – give us the money. The federal government's instinct was – we want to tie the money up into discreet categories, of which there are many. And the Republican pushback was – give us block grants – where, you know, you merge these categories into a block grant. Or under Nixon – give us revenue sharing – where you just turn revenue back to the states. So you saw Nixon, that approach. So those have been the big debates – block grants and revenue sharing.

Explain to me the revenue sharing.

Revenue sharing is the federal government merely turns back money to state governments without strings. And they can use it for whatever they want, virtually sharing the federal revenue.

But different than block grants.

Yeah. Block grants are you can only spend it for education. And certain things in education. A block grant is – if there were twenty categorical programs, we consolidate twenty categorical

programs into a block grant, and you can spend as much as you want on any of those twenty programs. You can spend it all on one of the twenty programs. So this was the continual battle, where the Democrats and some Republicans want to keep it highly specified – it's for art education, it's for school lunch, it's for professional development of teachers, or something of that sort. The Republicans traditionally have pushed back on that, as did the southern Democrats. Now there are virtually no southern Democrats, so it's a Republican versus Democratic issue.

The state pushback then would be the activist wing of the Democratic Party and the moderates in the Republican Party would try and push the federal role forward in very specific detailed ways. And the Republican Party and the more "conservative Republicans" and the more conservative Democrats – Blue Dog Democrats – would try and push back against a detailed federal regulation. So it's been a back and forth, and it depends on who controls the Congress.

Reagan was the high tide of the pushback, and he was largely unsuccessful. The Reagan period, it was a stalemate, pretty much. He didn't gain much ground, but the federal activists didn't gain much ground.

Clinton came in with a third way. Clinton was more nuanced. He was a southern Democrat, and he was trying to balance federal control with more flexibility. So they actually loosened up on things and tightened up on a few others. Remember Clinton was sort of a third way in between. He had a third way, and it was a little more balanced a policy. It seems to me Obama – George W. Bush and Obama have been all out federal control.

Tell me where the state education agencies fit into this story you're telling.

Okay, yeah, right. I studied state education agencies. One of my first books, called *Federal Aid to Education*, published – which is up there – when did we publish that? Here it is – Berke and Kirst – *Federal Aid to Education*, published in 1972. *Federal Aid to Public Education, Who Governs?* And then we have *The Politics of Federal Aid* in California, Michigan, Mass, Texas, Virginia, New York, and then conclusions.

Hour 1/50:10

Varied Involvement of State Education Agencies, Federal Colonization of State Departments of Education, Regulation Specification Negotiations Between States and Feds, Exceeding Federal Minimum Regulations

So we went out and studied the states and what the state education departments were like. It varied. There were weak departments and "strong" departments. So up in New York, you had a tradition of a strong state education department insulated from the governor. If you read *The New York Times* today, you will hear Governor Cuomo saying – not *The New York Times*, it was carried in another thing saying – well, I have reservations, and I'd like to legislate some things about Common Core, but I don't have any power. He said – ironically, I have no power much to influence this, but we might try some legislation. It's up to the Board of Regents.

So the Board of Regents in New York State has been a powerful state right from the start. And then you got down to Texas where, in 1970/'71, when we were doing the research, where the governor had no program or interest in education. He wasn't doing anything and didn't think it was appropriate to do anything. And neither did the Virginia governor. It was run through the

state departments of education. So some of the state departments of education were really powerful and some were weak. And some were just puny in some of the small states, that they could do very little. And then you had a balanced situation like California, where you had the governor and legislature active in education, but you also had – and still to this day – an independently elected state superintendent, which is in the California Constitution, who is an independently elected state official. So you had a very powerful, elected man named Wilson C. Riles, and he really fought back. And Brown's first term, to be specific, we made the decision that Riles is really pretty sharp and he's doing the right things. He's very politically known and popular, and let's let him lead, and we'll react in the governor's office. But subsequent governors, of course, like Pete Wilson and so on, they wanted to lead and let the department react.

The one thing you can say about states is they vary, and the variation is enormous. You can't much get a central tendency except the federal government pays for more than half of their employees everywhere.

At the state education –

At the state education level. So we find very creative accounting ways to get our people to work on some state issues using – even though they're paid for federal aid. Because you can relate it back to federal aid. We have some very arcane ways of handling that. So the federal government colonized, in effect, the state departments of education. And in the early going, was much more effective – and that was what I wrote about in the '80s with Dick Young.

We planted colonies out there. We funded Title I coordinators and a whole Title I office. California had maybe fifteen, twenty people funded by Title I in Washington. And then we, the federal government, would have the Title I coordinators – the federal government would have the Title I coordinators meet, and they created a camaraderie and bonding where these state offices really viewed themselves as arms of the federal government rather than of the state superintendent.

And that was by design.

That was by design. That goes back to my original statement that since we couldn't use federal, regional offices, we would build their capacity and then colonize them and change their allegiance to the federal program they were working in. Their essence was – I work for federal Title I, and I also work for the state of California or the state of Montana. But I'm really closely tied to the federal program and its essence and its spirit of the law, as well as the letter. So I think that's very important.

So the states vary, what you got is all that. A colleague of mine, Milbrey McLaughlin, says there is no such thing as state policy. That implies there's a fifty-state policy. It doesn't exist. Forget it. I think that's right.

So when you were back in California, here, and you were involved with the Board of Education in the '70s, were there ways that you did try and influence Washington and what was happening at the federal level, or certain issues that you took on?

Yeah. Well, the view was, in California – and this is another great point of variation. There's two dichotomous views, if you will, that you could start with about how states react. One is – we'll do the bare minimum. Nothing more than the federal government absolutely wants us to, and we will fight to define that bare minimum as low as we can. That's California's current view.

(laughter) The old view in the '70s, was – the federal government sets the floor. It's too low.

We're more aggressive. We're going over that, and we're seeking permission from the federal government to be more aggressive than they want to be.

For example, in what area are you talking about?

Education of handicapped children. We wanted to write a special ed – and we did write – a master plan for special education in the '70s that was more aggressive, in favor of handicapped children's education as we saw, and their parents, than the federal minimum. And so we would be negotiating with them – well, how high can we go? So that was a discussion. Now we're negotiating how low can we go.

In terms of funding?

No, regulation specification. Not funding – regulation specification. No, the money's the money. That's something states can lobby about. But the real game is – what is the specification and what is the program like? What would be parental rights and so on. So if I want to give special

ed parents more rights, can I go above the federal? If so how high? How do I run into trouble with it? Where are the trouble points on this?

And then you would lobby the feds to –

To exceed.

To exceed. Was it successful?

Yeah. Lots of it was successful. Their view generally was – if you want to exceed –mostly we're minimums. That's our game. And now we're into – well, your minimum's too high, we want a differential state policy that recognizes differences and lets the minimum be flexible. So that, I think, is another conceptual underpinning of this.

It's so interesting.

Yeah, yeah. I'm really in great shape to do this because very few people have been on the extremes of this. California, ironically, wanting in the old days to be the most aggressive and exceed federal minimums, is now probably the biggest vocal critic of the federal minimum.

So you mentioned education of handicapped children in the '70s. Were there other areas that California wanted to exceed the federal minimums?

We wanted to focus the Title I money even more tightly on the very, very lowest income schools – the very, very poorest. There's an article in LA since they have almost no middle class, they're trying to redistribute federal Title I and other federal programs back to the poorest of the poor.

(laughter)

Today?

Yeah, today. It's in the paper today – poorest of the poor. And school districts would argue – we have a right to this money. The federal government says we do. What are you trying to do, take away our money? Because we have fifty percent poor and they have seventy percent poor over there.

So there's also the intrastate disputes, or inside a state?

Yeah, there's inside states. Remember the original system was the states had all the power on paper. They gave it mostly all away to the locals, except very minimum standards of, say, a teacher has to have minimal credentials.

So I'm curious. When you did lobby for this permission to exceed the federal minimums, did that come through the state education agencies? Did that come more through the boards of education, through the governor?

Well, it came through both. It depends, again, on the setup. Some boards of education are very weak; some are very strong. The California State Board of Education is very unusual. All of the

federal laws allocate the money to a state education agency. In California, the state education agency is the California State Board of Education, not the independently elected superintendent of instruction – California Department of Education. So we're unusual. But lots of states, the state board isn't that much in federal aid and it's the chief. So our chief, our elected superintendent, Tom Torlakson, he can go to the Council of Chief State School Officers, but he can't really speak authoritatively on what's going to happen in our federal policy because it's up to the board. We shoot at everything that moves. And federal aid's like cancer – you can connect it to one thing to another, which gives us even more power.

Now, the current California State Board of Education is very close to the governor. Our executive director is the executive director of the state board of education and *the* special advisor to the governor. She goes to the weekly staff meetings of the governor. So we have an alliance of the governor and the state board, and the state superintendents over here and is independent in his department. Now we work collaboratively with him, but that's so different, that's a total one-off.

Case of state variation.

Yeah. That's a great case of state variation and some one-off.

And that's where we're going to end hour one.

HOOR 2

Hour 2/00:00

Questions Regarding the Detailed Federal Control in NCLB, Federal Audits and Guidelines

This is hour number two of my interview with Mike Kirst on November 19th, 2013.

I had a couple of reflections on what we've covered in this regard and what I omitted. But in the state influence power question, the area I know the least about, and in some ways the most fascinating, is the area Gordon Ambach would know most about. But he would be it seems to me, too close to it to look at it – why did the states go along with such a prescriptive approach to federal control in the No Child Left Behind Act? That seems to me – is probably the high tide of federal control. To be fair to Duncan, his Race to the Top, you don't have to apply for it. It was strictly a voluntary grant, and if you didn't get it, the world didn't fall. You didn't lose your funding, okay. It was all incremental funding.

And then the NCLB waiver that Obama and Duncan have been doing, is to provide relief from the detailed strictures of No Child Left Behind. So I would love to have Gordon Ambach in this room and ask him the question – why did you go along? And even seem, as far as I can tell in our conversations we had personally, championing all the detailed federal control in NCLB. I just don't understand. Coming into office, living with NCLB – so entering the movie in 2010, ten years after its passed, I'm just appalled at how detailed and prescriptive it is,. We have to do corrective action in a certain way for the low performing districts. It's like the IRS code. It's so

byzantine and detailed! Why did the states go along with that? I always got the impression from Gordon and just overhearing conversations, that he really thought it was a great thing, and he was strongly supporting it as the head of the Chief State School Officers. And he seemed to regard it as his final act and a good one. So you know, is there any buyer's remorse? It'd be great to put two of us in a room – me now chaffing under the restrictions of it and him, having been, as far as I can tell, a detailed architect of it. And so you have two, old friends who have been around and – what were you thinking? – would be my question. But we can't ask that. We don't have a forum.

You'll have to listen to his oral history.

I don't know whether he answers that question as – directly as I think. So yes, I'll have to listen to his oral history. But that would be an example where it seems to me – I don't know how much the states were pushing back. I'm sure he pushed back some, and it would have even been more draconian and detailed a statute, NCLB, than it's been. But what was left was pretty darn strong at that point.

And it's one of the longest standing education laws in that it has not gone through any reauthorizations.

In terms of reauthorizations, yeah. To me, it's a record. And as you know, ESEA was faithfully – after 1965, was reauthorized faithfully by the Congress, I believe every three to five years, for the initial parts.

Now, let me answer something that the states couldn't do much about – which we didn't cover in the oral interview – which is the federal auditing. We have federal audits now all the time, so I see them from this end. I was in the game when we didn't do detailed audits, in the '65 to roughly '68 era. Ironically, the Nixon administration came in with the view that Title I was somewhat out of control and they needed to tighten it up. Again, overriding this generalization that Republicans tend to resist –

Big government?

Yeah, resist federal government control. So under the Nixon administration, they began to do the heavy auditing. Indeed, when my book was published in '72, I saw the impact of that. And so this auditing and then saying – we want some money back from the states for not spending it right.

And what inspired this auditing? Was there a feeling that the states weren't –

That the states were not complying primarily with – again, this issue I brought up of the intended children that the money was appropriated and legislated for were not the children that were getting the money.

And when I got in Texas – we had detailed federal guidelines, not regulations – guidelines – on how to do this. When I got to Texas to interview – I'm guessing in '70 or '71, because I did the Texas case in the book, *Federal Aid to Education*, in 1972 – the Texas Education Department

had never sent out the federal guidelines to the local school districts! And it was JW Edgar and – what’s the other guy’s [name] – BJ or something. I was in the office with them, and JW said to BJ. – You know, BJ, maybe we ought to send out those federal guidelines. They're auditing over in Mississippi. That's not too far from Texas! And B.J. said – Yeah, maybe you ought to get those out of here.

They hadn't even sent out the federal guidelines! So talk about state differences! California was out here at that time talking about how to exceed the federal regulations with guidelines that went over the top. So it couldn't have been more different.

So the audits were important. We still are very nervous about those audits. And the audits are not just where the money goes. They were – were you carrying out some of the key parts of the law?

To bring up choice for a minute. One of the few things the federal government has done has been to – under the Clinton administration and they embraced by all others – the Bush and Obama [administrations], so you have Democrat, Republican, Democrat – the federal government provides start up money for new charter schools. It's one of the few things they do to encourage the choice agenda. So we have received, deservedly, several federal audits saying – you're really getting this money out too slow. You're not really aiding these schools to get started. You're just ineffective in accomplishing our objective. I believe they're right. It's that power, which really got honed in the '70s, I would say, is really an important power and shouldn't be overlooked.

The US Department of Education – and I wasn't around for this – like other departments in Washington, created an Inspector General. The Inspector General is an important concept because that concept is somebody who is independent of the politics that surround the department. And I told you about guidelines being watered down by phone calls from Mayor Daley and so on. The Inspector General is suppose to be watching that stuff. So the auditing is now done by an independent part of the department – say, quasi-independent. I don't really understand the Inspector General's independence in detail because I haven't worked at the federal level. But we're very sensitive to those visits, those reports – concerned about them.

The initial idea was – well, we'll just work with the states. We don't need a lot of heavy auditing. Then the next phase – that was '65 to '70. The next phase coming in with Nixon was – we need to do audits, here.

And they have had some effect on –

They've had effect. No question about it. They have recovered money from California and many other states. I'm sure we're not the only ones in that sense. So it's a real thing.

Tell me, you've mentioned a little bit about the choice movement. Because in my reading, that seems to have also bubbled up from the states.

Hour 2/10:00

Federal Aid for Religious School Choice, Vouchers/Charter Schools/Supplemental Education Services

Yeah, it did. Back on choice. The choice issue at the federal level was first and it's never been really successful – I think the choice issue is something the federal government has not been effectively pushing. They never have come up with a policy.

Just for the sake of the record for somebody listening – define a little bit the choice.

Okay, and I will do it historically. So when I came into the movie in 1964, choice was that if there was going to be federal aid to education, Catholic schools should get it as well as public schools. Choice was all around aiding religious education with grants. And that was – why don't we have general aid to education? The NEA [National Education Association] and many others have said a rational system would be a third federal, third state, third local, of financing education. We had many bills in the '60s, by Kennedy and Democrats in the legislature, and I think Truman. And they failed for the three R's: race, religion, and reds. Race was – if you gave general federal aid without strings on what they would spend it on. That's general federal aid. They could spend it on anything, including constructing schools. We can't give money like that to segregated schools. We can't give money like that to religious schools, because if it's not for a special purpose, then it violates [separation of] church and state, or our political view of church and state. And then the reds was the idea – it's too much federal control.

So choice was – we should provide federal aid to encourage choice for religious schools. It was largely then Catholic schools. Catholic schools in the '60s were eighty to eighty-five percent of the enrollment of private schools. They're now down to about forty-five percent, replaced almost one-for-one by Christian schools that are non-Catholic. And so that failed.

Then, the second way it failed was the movement, which really got steam under Reagan, that we should have a federal voucher program. So we should provide vouchers to parents who go to private schools. And a voucher is an unrestricted amount of money. You can just enroll in a private school. That never got anywhere. So that failed.

Then we got to what are known as exit vouchers. If a school is persistently failing under Title I, we should enable those pupils who are in these very failing schools to collect a public school amount of money from the federal government and take it to any school they want to. And that never passed. Bush proposed that. Reagan proposed that. So it was a Title I exit voucher.

Then Clinton came up with charter schools after Reagan's vouchers. But the states had created the charter schools, including California in the early '80s, before Clinton was really in office. When was Clinton elected? He didn't win until '88. So California's charter law was '82, and we were not the first. We had a robust charter sector by the time Clinton was elected.

And there was public monies available?

Public, yeah. They are called charter public schools. They get a direct payment from the state, roughly equal to their local payment – what we pay the local school districts. I always use in this state, charter public schools. Some people think they're not public. They're fully public. They can't be religious, in that regard.

So Clinton got the idea through the governors' conference, I think, that charters were an interesting thing, and the federal government could support the start up of them, not the on-going running. So that's a success. That's still going. We love that money in California. Actually, that's the one we had some bad audits about (*laughter*) – not administering it right. But that's an important component of our arsenal.

And then the last thing, which I think is a complete failure and has been now repealed, in effect, by the No Child Left Behind waivers, was the idea that – it's called supplemental educational services. It was part of No Child Left Behind. It was part of the Republican bargain to sign off on it. It says that if schools are not meeting AYP [adequate yearly progress], then twenty percent of your Title I money must be allocated to give to parents, for them to – if they so choose, if enough parents sign up – must be given to parents for them to use at some kind of a tutoring or supplemental education service. My impression is that never worked. All the states that have waivers – forty-two of them now – don't do it. And Duncan chose for waivers – waivers for it.

So I see the federal role in choice – I can't think I'm missing anything – as largely miniscule. And that has come from the states in this regard.

Do you have any personal views about how it squares with your own values in public education?

I'm an old-fashioned guy. I'm a firm believer in separation of church and state. I believe that public schools should be transmitting our common culture. Therefore, giving aid to all kinds of religious schools that may not follow the American common culture is not what we should be doing. I've been a staunch opponent of giving aid to religious schools.

But not charter schools. Charters you see as completely different.

No. Charter schools can't be religiously affiliated. So I would not give aid to religious charter schools. Indeed, there's a few religious schools that have closed and reopened at charter schools, but they had to get the religion out of there, including Catholic schools in DC.

Are they regulated, though, by federal policy in the same way, the charter schools?

No. The charter schools are all state. All the federal government does is give you start-up grants under the state laws to start them. So they don't have regulation on charter schools. So that's an example.

So No Child Left Behind doesn't apply?

Right. Since No Child Left Behind dollars go only to state education agencies that dole them out to local education agencies – charter schools are local education agencies, but no private school is. So a local education agency is, by definition, not a private school.

So the states then, have pushed back – it's not just the states. It's been people that think like me – against any federal incursion into choice. It seems to me their role here is minimal.

But just to clarify. I'm not sure I understood. The No Child Left Behind regulations do apply to charter schools because –

They're public schools, yes.

They're public.

Charter schools are governed by No Child Left Behind just like any other school, but none of them are religiously affiliated, nor can they be. Now, some of these states are creating these tax deductible – state, tax deductible, scholarship programs. I don't know how the federal aid plays out in those states. And some of those are religiously affiliated, like Louisiana and Indiana. I don't know what the federal aid is. That's a good question – what happens to the federal aid in Louisiana and Indiana that use these tax deductible, so-called scholarship programs? You know, I'm appalled by the whole thing. But it seems to me not many of those people are low income, because they wouldn't have a lot of money to pay their taxes. *(laughter)* But I don't know what the deal is on that.

So why the failure of choice? I don't know that you can attribute it to state government. I think it's partly attributed to large national lobbies, including African American groups, separation of church and state groups, and then the public school lobbies – teachers' organizations. Because most private schools are non-union. So you've got all that behind you. So I think they've been able to inhibit it in that regard.

Hour 2/20:00

Ascendency of Governors in Education Policy, Alliance of Governors and Big Business, Standards Movement

I don't think a bill has passed either House for a voucher. I could be wrong on that. But you don't see the Republicans talking about that now. That was Reagan's main program. Even though he was right of center in the Republican Party, you don't see the Republican Party bringing up vouchers now. So this is pretty much a non-story is the choice, and that's been left to the states in that regard.

Now the role of the states in pushing back and influencing things – and this triggered in my mind – Clinton, Carter, Bush, all came as governors of states. So they had a lot of exposure to state views in the National Governors Association. I have never seen a written analysis of the influence of the NGA [National Governors Association] on federal-state education policy. It's clearly there. I know Brown goes to those meetings and complains about federal government.

That would be a very important story, because the whole story – a big story, I should say – of the last twenty years, has been the ascendancy of the governors. So we went from Texas governors who didn't do anything with education, to Texas governors who featured education, in that swing. So if the ascendancy of governors in education policy is the strongest driving force going up in state policy – no question. Going down, the most going down are state boards of education, which have largely been absorbed and controlled by governors. Some of them have been abolished all the way in some states. And in other states, the governors have had all the appointees and held the appointees quite close and quite within – you know, paid attention – do my appointees support my views? Rather than appointing states people of some sort.

So the role in the last two decades, three decades – it's 2010 – three decades, because Clinton came out. The '80s was the beginning. And the Nation at Risk period was the beginning of the education governors really rising to the fore.

Do you think that was because the feds stepped back so much?

No. I think it was because – the original impetus was the recession in the early '80s, and the Nation at Risk phenomenon was – we've got to compete with an educated population in these states, and I, as governor, have to step in and take charge of this. Can't leave it to the backwater in the state education department and just to educators. This policy area of education is too important to be left to educators. I have to take it as a general politician, meaning the governor.

And so that began the reign of the governors in terms of accumulating power, which is still going. There's always a state in play where the governor wants more power over education. And generally, the vector force has been more and more power.

So the governors have assumed more power. So the pushback, which used to be the chief state school officers in the '60s and '70s, became much more – or even championing new federal policies or pushing back – became much more a governors' game. So you really need an interview source like Dane Linn, who was with the NGA – National Governors' Association – staff and other people, to talk about that policy area. We don't participate that much out in the NGA. By the time I got into it, it's a latter story. But that's an important part for your archive to understand. Somebody like Gordon would be great on the chiefs in the '60s and '70s, because he was around during that period. Chris Cross might have a better sense of that. I've never had that good of a sense of it. I don't think the National Conference of State Legislatures has been in a league with it.

In my limited knowledge of this area, it does seem that when the governors ascended and got more powerful, that a lot of their focus was on developing standards and assessments and accountability. Is that [accurate]?

Yeah. They did that, clearly. Here's another area that's pushed federal control, has been the national Business Roundtable. I worked with them. I ran institutes for the Business Roundtable – BRT – America's largest companies. And they're organized. And you get into this club of BRT by being big – having lots of employees. You've got to have lots of employees. You can't just

generate a lot of money, like a financial services firm, that doesn't employ many people. They make a lot of money, but they don't have a lot of employees.

So the BRT went all whole-hog for strong standards and a strong federal role in standards and went whole-hog for NCLB. So the governors and the business people were often aligned together, and you see that alliance manifested in the private organization now called Achieve, in Washington, headed by Mike Cohen, who would be an excellent guy to interview since he was in the Clinton White House in education and then went over to Achieve, which was in many ways, a front for the big business and the governors. I don't mean that negatively. It just is what it is.

So that alliance of big business and governors went all, as you indicated, for the standards movement and everything else. Now standards are much more. I'll give you a paper here. But the paper I'm going to give you is called *Common Core Standards: It Changes Almost Everything*. When you pass new standards, you have to have new, of course, assessments, new instructional materials, new professional development. You have to re-do your special education program because they also need to have standards. You have to worry about English learners. It affects how you consider curriculum and teacher ed programs, and now standards affect college-ready, so you have to coordinate with colleges.

So the standards movement had a – it was called the standards movement. Here's the right term you should use, in my view, which was coined by the Clinton administration: systemic standards-based education. And the key word is on systemic. The standards mean you need to change many, many things in the system.

Systematically.

Systematically. And the other key words we use – as systemic state reformers, including yours truly – are alignment, coherence, filling gaps, depth. You need to have policies. So if you have professional development for teachers for the new standards – we have three hundred and ten thousand teachers here – you need to get down with all of them deep. That's quite a lift. So that is driving a lot. The standards movement – and the key bargain here, and the pushback somewhere of the states, and I'm not close enough to it, was – and what Common Core's fighting is – they made a decision for NCLB to let each state set its own standards level. That's a classic state issue. That's a differential state treatment. Each state can set its own standards. There's no uniform federal standard.

Wasn't that under Clinton already?

Clinton began that, and they tried to enforce it through NCLB. But that did begin with Clinton.

Who was a governor.

Yeah. And sort of the genesis of this was George H.W. Bush's summit in Charlottesville. That's where they began to talk about standards. Clinton tried to have a national test – a nationwide test. I forget what they called it. And it was defeated. So that's another triumph for the states.

The states did not want it.

Right. They did not want it, and they defeated even trying it out. The Clinton administration was going to incrementalize into it. They wanted to form a voluntary national test. That was it – VNT. That was a voluntary national test – the VNT.

Hour 2/30:00

Variations in State Common Core Standards, Common Core Tests, State Consortiums

Well, they weren't kidding anybody. Everybody knew it would become from voluntary to probably involuntary. So the states pushed back and snuffed that out as soon as they could. So that never got lifted off the ground. But the Clinton people did say you had to set state standards and they had to be – they could be differential. But then that would be expected because the Clinton people were the transition from H.W. Bush's call for standards to NCLB. They were sort of the middle point of where you moved towards standards. But in NCLB, you had this explicit idea of standards in there, but you let states set their own standards level and their own tests. Now that's a classic of differential policy, which I was arguing in favor of. And then of course, the Common Core was a state movement through NGA and the Council of Chief State School Officers, which was – this isn't working. Let's voluntarily have a Common Core.

That's nationwide.

Not federal government. Yeah, that's nationwide. Yeah, we used to make a – I don't know whether this is too subtle – but we used to contrast nationwide policy, which means it spreads nationwide voluntarily, from national education policy.

Federal education policy.

Yeah, meaning federal, national, standardized, one-size-fits all.

How did it strike you in your world of education policy initially – the standards movement? A good idea?

Good idea. I was all for it. And I also liked the coherence and cohesion. Because when I was in the state government in the '70s, we had one division doing curriculum, another division doing assessment. They weren't very aligned. And a third division doing materials. We were all over the place. It was a mess! And it wasn't grade-by-grade. I think there is something for grade-by-grade, or grade spans. It could be either, three to five, or something. But it was just generic. You never knew when you were supposed to teach anything. What was the sequencing and progression. Now, the states have voluntarily done sequencing and progression and grade standards through Common Core. It's not forced on us at all – or through some device. The Obama administration has approved waivers for Texas, which has its own curriculum. It is not part of Common Core, although it was heavily oriented around being college-ready, the Texas curriculum, which was done even before Common Core was around.

This clearly is an example. But we still don't have a national test, although the Common Core – the PARCC [Partnership for Assessment of Readiness for College and Careers] and the Smarter Balanced are two different ones. And ACT [American College Testing] is going to have a Common Core test. ACT will have one. Pearson already has one that they've made for New York and Kentucky, and other vendors will have them as well. So there won't be any single, federal voluntary national test. And so the NAEP [National Assessment of Educational Progress] test will sit above those individual varieties. So it's still a state system. And as you see, the states are going different ways now in Common Core.

Problems with the standards movement or with the implementation of these accountability measures?

Yeah. There's all problems with it and we're trying to get it right. We make progress. You learn by doing and it's largely an iterative process. If the Congress had reauthorized NCLB, that might be a lot better too. After all, as one of my colleagues said, it was a good first draft. And we've had it for thirteen years. You don't have a first draft in thirteen years. So the federal role then got bollixed up in part by the congressional gridlock and political gridlock.

One of the things you read about often today in just sort of the popular press is that the problem with NCLB and all these tests is that then teachers are teaching to the test.

There's nothing wrong with teaching to a good test, according to me.

Okay.

As a professor who has given tests, I teach to my test.

Right.

I think it's good.

As long as the tests are good.

Yeah, yeah. Because I designed them.

And aligned to the curriculum.

And they're aligned to my curriculum, which is what I teach. And they're aligned to the quality of students at Stanford. I have never used a multiple choice item. I wouldn't dream of using a multiple choice test on any of them – beyond the pale. But the community colleges and other places use them, but that may be more appropriate for their setting.

So I am hopeful. And certainly, in theory, the Smarter Balanced assessment is a good enough assessment that I'm happy to have teachers teach to it. We call the Smarter Balanced assessment system a structural improvement system, that is part of an instructional improvement system,

which has a final summit of assessment as one of its elements. We have moved beyond the test as the major thing. It's part of a string of improving instruction.

Well, that makes eminent sense.

Yeah, so that makes more sense. NCLB was the first stage, and it didn't have that vision. But nobody else much did either, in 2000.

So in this way, California also may serve as a model for what could happen, potentially, with the federal law.

Yeah, it could. And the twenty-two states that are part of Smarter Balanced could. We're one of twenty-two. Of course, the federal government funded those assessments. They put almost three hundred million dollars into developing new assessments out of stimulus money. So this may be one of their big legacies and one of the cheapest. If you can drive instruction in the right ways through a good assessment and it costs you a puny three hundred million dollars of federal money, that is really a pay-off. That came through the administration out of the stimulus money. Now, Republicans see all this as an apostasy and so who's to know what's going to be, right? But if that vision that we have pays off, we never could have done this without the federal money.

And indeed they created – they, the federal government – created the incentives for us to be in three consortia. We always developed our own tests here. We were big enough. We had enough

money. Now we're not, and I'm glad we're not. In fact, when we had to, we didn't have money at all. You know, we were really –

You're talking about the consortia among the states?

Yeah. The consortia. The federal government created the idea of the consortium. I don't know whether the states – I don't know who thought that up. I can just say it was federal policy that said – we'll give you the money, but you got to be in one of these consortia or the other. Okay. So they shotgun married us into a consortium. And I had a choice of two, and I'm very happy with my choice. And I'm delighted we're in a consortium. I think you learn more and you're not so isolated. You have economies of scale and all that. So I think that's one of the things to watch, is those assessment systems and what they do.

It sounds like California is one of the states that has modeled some of the best practices.

Yeah. We're really moving on Common Core, and we have resisted what I think is the policy overload. Arne Duncan wants you to do what New York's doing. What's New York trying to do? I agree with the protesters in New York. He has them doing – and they're New York State officials – Common Core, teacher evaluation, accountability, and new data systems all in the same year. One year to do it all. I wonder how smart this guy [John] King is. I'd like to talk to Gordon about that. He's the guy out there pushing it. And everybody wants to retreat except the Regents and him. And somehow, they're largely politically accountable. They're hard to get a hold of.

Now, they used to – the Regents were interesting. One of the main themes of politics of education is the removal of education in politics. The Regents' appointments used to be either – when I got into this business in 1964, you've got two kinds of Regents' appointments: sixteen years or life. It was known as sixteen to life. A friend of mine, Stephen K. Bailey, one of the great masters of politics of education from Syracuse University said – which did you get? Sixteen or life? And he got sixteen, but some of them got life. This was to insulate them from the rhythms of the politics. Now, if you spend any time in Albany, you think it's a pretty good idea to be insulated from the politics of Albany, so I can see how they got there. But what a sick system that is. *(laughter)*

Hour 2/40:00

Creation of the Education Commission of the States, Impact of Demographics on State Equalization, Idea of Value Added Tax

But anyway, this New York system is still running with quite a bit of insulation from the regular political system And Cuomo – there's a news clip on that today, which got everywhere. And I'd like to get a hold of this, but I can't – talking about Common Core. So most governors have more direct power.

So the federal/state politics was basically that. Another movement that's worth – [it] was basically chief state school officers up to '80, and then governors from '80 on – '81/'82 on – have been the predominant players. An organization that failed, that succeeded for a while moderately,

which I've been very close to, was the commissioner of, and so on, but had the right vision – was the Education Commission of the States. This deserves some attention.

The Education Commission of the States was thought up by governor Terry Sanford in the '60s of North Carolina – one of those famous North Carolina, moderate Democrats like Jim Hunt. His idea was in order to represent the states and to balance the growing federal power of the Great Society, we needed an interstate organization that merged all state officials in the same organization: governors – and always a governor is the head of the ECS [Education Commission of the States] – governors, legislators, chief state school officers, and state board of education members. And we created, then, an interstate compact – the Education Commission of the States – known as ECS. It was deliberately located in Denver to keep it away from those nasty federal officials.

When was this created?

Sometime in the '60s between '65 and '70, probably – or maybe '68 – somewhere '65 to '70. Great idea. And I was appointed by Governor Brown to lead the California delegation, but I was at ECS conferences as a speaker so many times. A friend of mine and I, Jim Guthrie of Berkeley, used to say – this is the best meeting we go to if you're into state government and policy. This is it. They're all right there – one stop shopping. You see all these governors. We don't normally get in rooms with them. And a governor is the head. The new governor will be the head of ECS, which exists today, is Governor Sandoval of Nevada. It was a way to represent the states as a collectivity. So ECS began to have some focus and do some things. It runs a clearing house. It

ran a really good clearinghouse on state policy, advised other states. California, at one point, asked them to come in to help us. You paid dues in.

Give me an example.

The state paid dues.

But I mean in terms of one of the things that it worked on.

It worked initially a lot on school finance equity. Remember all those issues about the property tax caused inequity. And it had a really good staff. They helped states all over the place in figuring out school finance equity, which was largely a state business and not a local business.

Has that been successful anywhere?

Yeah, it has been.

Equalizing inequities?

Yeah, it has been. And they're certainly better than they were. I mean, if 1965 was zero and today, we've certainly moved to sixty-five, seventy. There are some totally unreformed states, like Illinois, Pennsylvania, and New York, that have done nothing. But the majority of the states have done stuff. We're highly equalized here.

So in the southern states, here's a point on state control. The education systems of the southern states were created largely after the Civil War. There was no local property left. After Sherman got through marching around, there wasn't much property tax to collect. So the southern states always had very powerful state policies and state control. They created to this day, some of them have, statewide teacher salary schedules. Texas still has them. They always were – the most powerful states were in the south. And they equalized much more quickly because they had more control.

So while we're into states – the poles are the southern states with a lot of state power that formed after the Civil War. And then in history, the other pole, were the New England states, who were created after they got rid of a king and the king's representative – his Excellency, the governor. They wanted nothing to do with strong state government. New Hampshire – Live free or die! Part of that is living free from Concord, the capital. Vermont – these are states that were the most – and even Mass and Connecticut and Maine. When I was in the federal government in the '60s, they were the weakest state governments around, by design. Now they've moved more and more and more to state control, but you had this extreme area. So we got into this – just saying that New England states were highly unequally financed. The southern states were more equalized. And so the southern states, when ECS began, they were able to move forward more quickly with the equity issues in some cases, in a lot of cases.

Did the ECS, for example, ever lobby the federal government to get involved in these equalizations?

Yes, they did. And the federal government did provide some money. I'll tell you a vignette about the biggest thing I almost did that never worked. Now's probably a good time to tell the story – it's a good one for federal oral history. This is the biggest thing I was really close to. So when I first came out here, in federal aid. I was still going back. It was '69 so I was teaching federal aid [federal and state education policy at Stanford]. My connections were back there. Frankly, I didn't want to or expect to stay here [in California]. The Democratic Party had split with Humphrey, and I thought – we're the normal ruling party, you know. I'll wait it out here in the provinces or hinterland.

And then go back?

Yeah. I would say, "I'm from Washington," and they would say, "Oh, Seattle?" And it never occurred to me that that was Washington. So I was commuting back there. I'd leave every Wednesday here about three o'clock on the plane and I'd get back there – not every, but a lot of them – at three o'clock. I'd get back there [Washington DC] around ten o'clock and so on.

I got very close to the Nixon administration. Either I'm a Democrat – I've worked for a Democrat in the Congress. But there were so few people. I was so early. Gordon was around earlier than I was, but there were very few of us that were experts on federal policy and very few had worked in the government and understood it. Gordon had worked in the government, and I worked in the government. Not many.

I was actually hired by Ehrlichman to come up with a plan that we got really close to, that the government would. Okay, what were we – it was a heyday of school finance equalization. Our scheme was – which we actually prepared a plan for – every state and school district was to cut the property tax in half. That was what was driving the inequity. Then we would replace that revenue with what Europe uses, called a value-added tax. And this was to be huge. The federal money would then go out. This would have been this movement toward big federal assumption of the general underpinning of financing. This was the big move. And we would take a huge step toward equalizing it, because we were replacing half of the unequal property tax with a revenue stream that goes back to the states, raised with a value added tax.

Sales taxes now are state taxes. We would have had a federal sales tax replacing half the property tax. This was the big idea.

Hour 2/50:00

Dismantling of Education Commission of the States, Statewide Recommendations for Federal Policy, Importance of Implementing Policy Ideas

We got really close. The *Wall Street Journal* leaked it. They used to have a column over there. I forget what it was – *Friday Washington: Inside Talk*. This was in there. And I thought – oh, God, this is unbelievable. And, you know, I was back in the Nixon White House of all things, working as a consultant on this. There were a handful of people.

So what happened?

There were a handful of people that could do this in those days. And I was a Democrat, and that's what you had to go with. There could have been five or ten of us that could have done such a scheme. Well, Nixon just chickened out. I mean, it was just too big. I sort of don't blame him. Ehrlichman pushed it hard. He was head of the domestic policy council. This obviously would have been before Watergate, when he was still riding high. I guess it was the beginning of the second term when they could do big things, and so on. And he just said – I can't go for this. It's too much.

You still think it would be a good idea?

I don't know. I'd have to go back. Yeah, I do. I think that it would equalize. The property tax is still not a great tax to run things off of. And we rely too much on it. It's about half our financing. It ought to be in there, because it's a stable component. But it shouldn't be driving it as much as it does.

So back to ECS – ECS helped a lot on that. They helped on special education. They did what states wanted. They listened to what states' problems were, and then they reorganized their staff to assist states, run national forums. They had a Washington office to lobby. And it fell apart. It fell apart because the sub-parts didn't want to merge. The chief state school officers wanted to stay on their own, and the legislators wanted to keep their organization, and the state boards – National Association of State Boards – they wanted theirs and, of course, the governors wanted their NGA to do education. So the umbrella fell apart into the constituency organizations of the various state players.

This was, then, in the '70s, or later?

No. It fell apart in the '90s.

In the '90s.

Yeah. It took till the '90s – about '90. And now it's just a fragment of its old self.

But it did have some successes?

It did. It did. In speaking as a unified voice of the collectivity of state officials to the federal government.

Sounds like a great idea.

Yeah. And that was Sanford's idea. He coined the term I use – we need nationwide education policies, not national federal education policies. And we need a vehicle to get there, and he created a vehicle and almost all the states joined. We haven't paid our dues to them in years, in California. When I was in state government before, I buried the ECS payment so deeply in the Department of Education budget, it took twenty-five years for the Department of Finance to find it and cut it. *(laughter)* But yeah, we don't even participate anymore. It's marginal, and it's like – who needs this?

Maybe this is a time to turn to your recommendations. If we're thinking about this history, it sounds like one of the recommendations would be to somehow have that kind of an organization again in place.

Yeah. I don't think you can put Humpty Dumpty back together again. It would be nice, but I don't know. The governors, now, are so powerful. That was an era when the governors were not as powerful as they are now. The NGA is still the most – and the governors have the highest respect. I think that's where you gotta put the power, and they need to be more aggressive. They don't do enough now.

So what would you recommend in your ideal world in terms of what needs to happen next and how states should try and influence what's happening in policy?

I think we need better ideas. First you need – what do you want? What are you trying to do vis-à-vis the federal government? And I think all of it now is they react to Duncan and then try and cut the rough edges off. There is no forum. There is something needed like ECS, you're right, where we get state – I don't think it's ECS, or really what it was like then. It's not so much a technical assistance organization. It ought to be a place where we can come together like NCS [*narrator correction: ECS*] and come up with state policy views that are broader than just what governors want or chief state school officers want. The governors need to be in a room with the chief state school officers. They're closer to the education scene. I think the governors are too aloof from it, in some cases.

So we need a way to make statewide education recommendations for federal policy. It's got to move beyond the debate that's going on in Washington, which is just stalemated and therefore not even taking place. The view is – why should I do anything, because it's total gridlock. Well, this is probably when you should do something because you're not fighting anybody's ideas. It's a vacuum. So I think we need a way to pull together a new vision of what the state role should be vis-à-vis the federal government. What do we want them to do, as states? It needs to be broader than how do we amend NCLB? That's a piece of legislation. Where do we want to go with the federal role now? What should be the federal role looking forward?

Do you have any answers to your own questions?

No. I never even thought about it, frankly. I'm so busy trying to figure out how to hold them off and do what I want to do, I haven't – so I'm no longer a specialist. I used to be at most conclaves that would – when this was being discussed, I knew about it and might have been there. But now, I wouldn't even go. I don't have time, and I don't want to have to think about it. I'm no longer a federal specialist in that sense. I could represent a state view, but I would need somebody that's thinking about it more holistically and is not in such a special pleader role that I'm in. Heck, I'm not objective anymore. Let somebody do this.

Well, what do you want to see happen?

I can represent California's view. That's all I could do at this point.

And what is that view right now, in terms of NCLB and what you want to see happen? Do you want them to just throw out the whole thing?

No. We haven't thought about it in detail. We don't like Arne's waivers, and we don't like NCLB. So we're reacting to – just give us more running room. It's all – give us more running room. It's not – what you ought to do, it's give us more running room! That's really all we have to say at this point. And we think it's especially urgent during this transition to Common Core, that we have more running room. That really is, I think, what we would do. So I don't think anything ought to happen until we have the power of ideas. What are the ideas that we ought to have? Ehrlichman had a big idea, and it was really then heavily around – not around government programming, but around government financing of the whole system. It was more like what the Germans do. They have a strong federalism, and they take a lot of money into Berlin, and they send a lot of money out of Berlin to the states without a lot of categorical earmarks and detailed regulations.

So it's more like big block grants.

Yeah. Big stuff. I don't think it's what we were thinking about in the early '70s, but it's something that straightens out what appropriate roles ought to be. And, of course, they're all time pieces. It doesn't last forever. But it seems to me we're in a terrible place vis-à-vis the vision of the federal role. And it's broken down and now into partisan politics rather than rising above it and thinking

about it. It doesn't have to be spending a lot of money. It would have to be back to – what should it be? What can we learn?

A guy who has a vision is Rick Hess at AEI.

AEI?

Yeah – American Enterprise Institute. The guy that I think makes the most sense and thinks about this. And the only guy I read, talking about it boldly, is Frederick Hess – AEI Education. You can't type him ideologically. They're right of center, but he's nowhere near right of center as their center of gravity. He calls them as he sees them, and generally I agree with him.

What is he saying?

He wants to sort out – I can't do the details of it, and you might – I'd put in Google, Frederick Hess, AEI, federal role in education. But he starts from – not what's on my plate, but he starts – what are the sensible things in 2013 that the federal government should be doing. And what do we know they can do well? What have we learned about the limits of what they can't do well? So what should their role be? It's a much more intense role in things like research and innovation and a much lighter touch role in dictating how you turn around schools or the percentage of testing that ought to be in a teacher's evaluation. So he thinks Duncan has too much – as I do – he's too much into detail in the weeds.

Right. Let me end this hour here.

Okay.

HOUR 3

Hour 3/00:00

Suggestions for Improving Classroom Instruction, Successes of ESEA, Race to the Top, Appropriateness of Competitive Grants

This is hour number three on November 19th, 2013. And we're winding down, but I wanted to ask you a little bit about what you think may be the appropriate role is for the states at this point in time. You talked a little bit about the feds, but if you had your druthers to recommend what you think the states might affect in terms of policy.

Well, I personally think the most important thing in education is improving instruction in classrooms. And if you're not doing that, then you're doing a lot of regulation and overhead. So the question becomes – what's, at this point, the best state levers and approaches for improving classroom instruction? And my answer is – systemic standards based reform using Common Core. And by systemic based, I mean heavy professional development to improve teaching, better materials and technology to improve teaching. But both of these are aligned to the Common Core. You gotta have a lodestar to – I think, like the Common Core – to align your state policies to – these are explicit education standards, rather than just sending money out for professional development – do what you want – sending money out for technology – do whatever the hell you want.

From the California perspective, we're really one of the states that is still gung-ho Common Core. We have very little opposition. Part of that is that we're so democratic in terms of more

than two-thirds Democrats. We have a very weak Tea Party. The Republicans are pushed into basically all white enclaves. So we have a lot of consistency and our state leaders are likely to be re-elected. So therefore, you know, we're not on the fence on Common Core. We're pushing ahead. So we're an example of what you can do when you push ahead. But, you're very, very sensitive to overloading the local school districts in the classrooms with too much policy. So we're trying to proceed in a measured way. We believe the federal government is trying to force the state into more policy than our local districts can handle, so we're trying to resist that in every way we can. That's why our policy is one of resistance rather than proactive.

So I see the Common Core as a big idea, sort of like the Elementary and Secondary Education Act was in 1965, which has stayed the course – was a big idea and lasted.

And was, by and large, successful, in your estimation?

Well, yeah. It depends how you measure it, but it is certainly – if you took where we were in 1965 with segregated schools and a lack of attention to low income, disadvantaged pupils, it's come a long way. So it's a question of how to engineer the impact rather than what the priority ought to be. And I believe it has raised achievement. I think there's some studies in the '80s that it did. I think it is played out as a strategy, somewhere in the '80s. And then No Child Left Behind came on as a subsequent strategy. It was a direct lineal descendant. It was oriented to the lower end, in bringing them up to some level of proficiency. So it was another attempt. The accountability parts of NCLB focused more attention on these pupils in a more direct way. It had

a positive impact at the low end, NCLB did. It's just run its course. I was not a big NCLB opponent. I just felt it needed to be fixed within a normal interval of three to five years.

What about Race to the Top? Because you haven't talked very much about that.

I see that as a period piece in some ways, but it certainly helped galvanize the teacher evaluation movement and better data. It's too early to tell. The governor asked me about Race to the Top. I mean, all this teacher evaluation but only one percent of the teachers are found that they're inadequate. It could be a lot of sound and fury signifying very little on that front. And Common Core is still an unknown. They pushed that. Data systems – we're collecting data, but we see reports that the data's often not used. It's still too early on Race to the Top. It certainly got a lot of leverage for very little money. It's admirable in how little money they spent and how much effect they had, certainly in the short run, and we'll see about the long run.

I was a Race to the Top reviewer and spent considerable time reviewing the applications, being trained in Washington, being back there. I think it's my last hurrah in that city. And so I got a good look at it – and [it's] way too prescriptive. All these little itty-bitty categories, and you gave them five points and ten points. They had to satisfy each little itty-bitty thing. And then I added up my total points, and I thought – well, these points I got isn't my overall feel of this application. So we'll see as to what happens and how it plays out. But it certainly was successful in terms of federal impact, if you want more federal impact. And it was generally in the right direction.

But, we're not going to see that again. It's a competitive grant. Let's go back to the principal, which, I'm glad you mentioned that. There's a big battle whether the federal government should be running competitive grants, and some get left out. You don't have to apply, but if you don't apply, you're left out. That's California. Should federal government be trying to drive policy with competitive grants, or should it be trying to drive policy with formula driven grants that go out to pupils and then are surrounded by regulations and auditing? The Obama administration brought up to the center and the focus, competitive grants as a federal strategy. It's too soon and I'm too close to it to make an evaluation of it. But I would say it's made a signal contribution to the discussion of whether competitive grants are appropriate. Their view was – make everything competitive that we can. And they did the IC3 [Internet and Computing Core Certification] innovation, and they did data money, and so on. So it's important that that be injected back in as an element.

So we had in the three years here, to sum up, general aid to education that never passed. Then we had formula driven categorical grants that you qualified for if you had certain types of pupils. You didn't have to compete. Some state that had no low-income pupils wouldn't have – but there's no state like that, so – and then we have the Obama administration pushing competitive grants. So those are three different modalities that are there. And so I think that's an important addition and needs to be carefully thought about in terms of the future of federal aid. But back to your original question, I think Common Core is our best leverage.

To actually improving classroom instruction.

To improving classroom instruction.

Which is the bottom line.

Which is the bottom line. If you're not improving classroom instruction and you're a state official, you're not doing a hell of a lot, in my view. So that's your target, and you keep your eye on that target.

Two other questions that come to mind that we've mentioned off tape was – it sounds like educators haven't been a big part of ECS and the general policy discussion, and why that is, and what your thoughts are on that.

I think that there's so many local districts in most places, that it's very hard to say you're involving a representative sample of local districts to do national policy, in terms of ECS formulating national policy. It's even hard in California to claim that you're listening to local districts here. We have a thousand districts. LA is huge, but only has less than twenty percent now. So, they're spread out there. We have 6.2 million children. Oakland has forty-four thousand, San Francisco has about fifty. There's a lot of districts.

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Local Education Organizations' Involvement in Educational Policy, Effect of
Congressional Gridlock**

So yes, local educators are not heard enough. Teachers aren't heard enough. It's been hard to involve them. And if you're going to say the unions represent the teachers, then they're heard. But if you don't think that they represent views of teachers on curriculum and instruction, which is – if you're trying to use state policy to improve curriculum and instruction, is the union the best place to go? That's debatable. I think Shanker tried to maneuver AFT closer to that objective than NEA has. So it's just inherently hard for states or the federal government to really say we're listening to educators. There's always a selective group of educators. Arne Duncan calls up John Deasy in LA and a few other big city superintendents. I think that's all he does. They are educators, but they don't represent this complex state. So that, I think, is a problem.

But generally speaking, I think the important point I want to make politically is – everybody that's written the history of No Child Left Behind feels that local education organizations – teachers, school boards, administrators, PTA [Parent Teacher Association] – were largely left out of that. And that they were surprisingly weak in that framing of that legislation. And I think some of the problems are caused by the lack of involvement. Would the spokespeople for those big organizations be that effective in representing the fifteen thousand local school districts we have out there? That's also debatable. So I'm puzzled by how to get that input.

I listen to a handful of local educators I respect, but they're not typical. Some of them are quite elderly because they're friends, and some are not even – you know, I look at these teachers and they're so young! (*laughter*) So how in touch am I with them? They're a bunch of kids! So that, I think, is a perennial problem, but it's not well structured in this game of organized interests. But I think NCLB was too much in not listening to even the local organized groups in DC.

There's a lot of power from the civil rights groups. Education Trust and various legal groups and so on have accumulated a lot of power. Who they represent, it's not quite clear to me. They call themselves civil rights organizations, but I don't know what that means anymore. I'm worried about how policy is made and who's heard at the federal level and at the state level.

Well, the one other thing that we were going to talk a little bit about was gridlock, and how one actually affects policy and change when the system is broken.

Yeah. I don't really know. I work in a state with no gridlock. And I don't know more than I know in the *New York Times*. All I know is, not only is it partisan, but the people don't like each other and don't socialize with each other. My heyday in Washington was when we had a solid core of moderate Republicans. So in my day, we rounded up Jacob Javits, Republican-New York, Chuck Percy, Republican-Illinois, Winston Prouty, Republican-Vermont. And then there were many others that you went to. They always wanted more federal flexibility and the Democrats wanted more federal prescription.

But you had more collegiality.

Oh, yeah. Oh, yeah.

And you got more done.

We got more done and deals were easier to make.

I think you said when we first talked that we're lucky if we get fifteen laws passed by the federal government a year and you used to pass fifteen a month, or something?

Yeah, right – fifteen. I mean, it's just amazing.

Anything else that I haven't asked you to close this interview?

No. I can't think of anything. If I do, we could maybe do it by phone or something.

Well, thank you very much for letting me interview you.

Okay.

It's been a pleasure.

Yeah. It's been interesting to think about this in a certain way.