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What About the Losers in the Race to the Top?

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School districts, locally financed and governed by elected boards, seem natural to most Americans. But our system of fiscal federalism is nearly *sui generis*, especially insofar as education is concerned. Unitary national education systems are the norm in

most countries. Whereas, in the United States, educational governance/finance is divided among local, state, and national jurisdictions, with the local level arguably the most important of these. At this level, America's 100 thousand schools are

incorporated into 14,000 special-purpose tax districts. The vast majority of these districts are run by boards, whose members are elected by the district residents, who, in turn, benefit from and bear some, if not all, of the costs of operating them. Single-function, geographically defined tax districts are uncommon outside of the United States, but they are our most common governance arrangement. We have special districts for all kinds of collectively provided services, everything from waste collection and disposal to mosquito abatement, and not just education.

Purpose aside, school districts are different from other special districts in only two ways: most states *require* school-board elections to be non-partisan and *require* school boards to appoint professional administrators, usually called superintendents, as their chief operating officers. According to O'Toole and Meier (2011: p. 341), these mandates reflect the special importance of education and the belief that their functions are best served where school districts are "insulated" from partisan politics and run by qualified professionals.

Local school districts, their boards, school superintendents, and district offices have come in for a lot of criticism of late.

Arguably this is an unintended consequence of the No Child Left Behind Act (NCLB), which focused federal attention on student achievement and vested primary responsibility for achievement outcomes in the schools and the people who work in them. As Richard Elmore observes: "Putting

schools at the center of the accountability problem ... has the effect of calling into question the purpose of locally centralized governance and administration" (Elmore 2000: p. 10).

In any case, Dylan Scott, in a recent Governing magazine article (May, 2013), reports that advocates, both left and right, increasingly call for the outright elimination of local school districts, which would mean turning educational policy/finance over to general-purpose governments. Some localdistrict critics favor mayoral control; others state control. The latter is surprisingly attractive to conservatives, who would make state governments the only higher authority for individual schools, which would be continue to be publicly funded but independently controlled and operated, although a more likely outcome of full statelevel funding and control would seem to be machine bureaucracies of even greater scale and scope than at present.

Is the antagonism toward local school districts justified? Despite their presumed importance, school districts attract relatively little academic attention. People who are interested in teaching and learning focus on schools and classrooms; those interested in governance, on regulatory mechanisms and general purpose jurisdictions. Consequently, we don't really have the warrants that would justify a confident answer to this question.

This may be changing. Controversy draws academic scrutiny. In the last few years, the University of Chicago Press has, for example, published two books on the relationship between school-district

governance and teaching and learning: Making the Grade: The Economic Evolution of American School Districts by William A. Fischel (2009) and Marketing Schools, Marketing Amenities: Who Wins and Who Loses when Schools become Urban Amenities by Maria Bloomfield Cucchiara (2013).



Remarkably, these two extremely interesting and informative books are practically mirror images of each other. Fischel looks at the evolution of American school districts over the past century using economic theory and large data sets to test specific theoretical claims. Cucchiara looks at change within a sub-district of a single, large municipal school district, Philadelphia, over a fairly short period primarily using ethnographic methods. Both look at the consequences of school district performance on local property values, but Fischel stresses the benefits that derive from this ink and Cucchiara its costs. Both end up with similar understandings of the phenomenon in question, but offer quite different

suggestions for reform of big-city districts, although those only tentatively.

Fischel adopts the prevailing economic view of the function of local governments in our unique system of fiscal federalism: local governments, both general-purpose governments and special tax districts are like businesses, property owners are equivalent to shareholders, and local officials create value by maximizing property values within their jurisdictions' boundaries via the provision of services and amenities that can be more efficiently financed collectively than by individual property owners. This basic logic underlies local reliance on user fees and property taxes, which, where

<sup>1</sup>This view is grounded in the "theory of fiscal equivalence," which concludes that "provision of public services should be located at the lowest level of government encompassing, in a spatial sense, the relevant benefits and costs" (Oates 1999: p. 1122). According to this theory, there is a need for a separate governance institution with a defined boundary for every discrete government service and that giving local institutions substantial powers to set service provision levels and tax the citizens they serve is the best way of ensuring political accountability. Moreover, Olson argues that only if there are several levels of governance and many special-purpose districts can disparities between the boundaries of decision-making units and service-provision districts be avoided. Olson concludes that the existing network of districts and subsidies is "probably better than most of the ... arrangement that have been proposed to replace it" (Olson 1969: p. 486).

assessments reflect market prices, are the economic equivalents of user fees.

According to Fischel (pp. 14-15), school districts play a central role in this system, because of the importance of schools to a critical class of property owners: homeowners.

"A significant factor for many people deciding where to live is the quality of the local school district, with superior schools creating a price premium for housing. The result is a 'race to the top.' as all school districts attempt to improve their performance in order to attract homeowners." Fischel also argues that locally funded schools, especially those funded by ad-valorem property taxes, provide homeowners with the motivation to monitor and control local jurisdictions, because amenities and taxes are capitalized in the value of their largest asset, their homes, and local governance gives them an opportunity to do so. Finally, he provides evidence that home prices are more responsive to district boundaries than to the boundaries of school attendance zones, which he attributes to the special role played by local school districts in the accumulation of community-specific social capital, "mainly through the networks parents establish" (p. 231), which spills over to a wide array of collectively provided services and not just to schools.<sup>2</sup>

Cucchiara focuses on the losers in this system. The site of her study is Philadelphia, which lost a third of its population between 1950 and 2000 and suffered an even greater relative decline in its economic product and property value, while all around it the economy boomed. Arguably, its school district was the innocent victim of the errors and omissions of Philadelphia's city government,<sup>3</sup> although the size of the district, the size of its schools, its bureaucratized governance, and its unresponsiveness to parental input and responsiveness to unions and other organized interests could have easily played a part in the city's decline if Fischel is correct. Those variables are all associated with lower levels of community-specific social capital, which is relevant to the governance of the full array of locally provided services and amenities. Moreover, the worst schools are almost all found in overly large districts. As Fischel observes "The sources of their problems are usually said to be the concentration of low-income households, but that is a problem that is at least partly caused by low school quality" (p. 231).

best the evidence for this claim can be described as suggestive or allusive.

<sup>3</sup>Cucchiara implies that Philadelphia's decline was not of its own making but was instead due to economic and demographic dynamics over which it had little control, including an aging housing stock and infrastructure, the relative costs of developing green field vs. brownfield sites, deindustrialization, and after 1980 federal policies that were unfriendly to cities.

<sup>&</sup>lt;sup>2</sup>While Fischel subjects this claim to extensive empirical testing, only one of his tests directly addresses the issue and it's based on only 48 observations (states). At

Philadelphia's schools were both underfunded and on average pretty bad. Low funding was due both to the city's low perpupil property tax base and, in Cucchiara's words, to "a state funding system that did little to address fiscal inequities and failed to respond to the growing cost of public education" (p. 50). Nearly 70 percent of its students were from low-income households. In other words, Philadelphia is one of the obvious losers in the race to the top.

However, Cucchiara's main story does not have to do with the city's decline or its worst schools, but with the consequences of a public-private partnership aimed at promoting the redevelopment of Philadelphia's center city district, 120-block area in the heart of Philadelphia. When her story begins, the redevelopment effort was already well under way. Indeed, both Philadelphia's population decline and the erosion of its property tax base had already been reversed. However, its leaders firmly believed that if the revival was to be sustained the central city would have to be made more friendly to middle-class families with kids, which in turn required "an improvement in the quality and customer focus of the public schools" (pp. 4-5).

Cucchiara describes the public-private partnership's efforts to improve and market public schools in the city-center district to middle and upper-middle class residents and workers. She also shows that those efforts

were largely successful. At its start, less than half of the students in the city-center schools lived within the redevelopment district; by 2010 two-thirds of them did (p. 185). Moreover, this proportion seems bound to increase, as local enrollment in city-center schools tends to be self-reinforcing: higher proportions of students from within the redevelopment district lead to higher rates of enrollment from within the district, leading to higher proportions of in-district students.

Cucchiara's story is comprised of several elements: Philadelphia's decline and its struggle to revitalize itself, its growing reliance on market-driven solutions to social problems and how this reliance has shaped its policies, the struggle to make schools in the center city attractive to middle-class and upper middle-class parents, how that played out in a single school, the opposition to the initiative that developed in the school district's central office, and a conclusion, which describes the outcomes of the intervention and revisits the questions raised throughout "the book about equity and entitlement, market solutions to social problems, the valorizing of the middle class, and the tensions between notions of public benefit and private costs" (p. 18). Finally, she draws upon the cases of Boston and Wake County, North Carolina (Raleigh and its suburbs),<sup>5</sup> to show how one might go about fabricating a more equitable approach

<sup>&</sup>lt;sup>4</sup>Average spending per pupil in Philadelphia was \$9,299 in AY2004-5 (p. 50), prior to a substantial increase in 2006-2010.

<sup>&</sup>lt;sup>5</sup>The boundaries of most school districts in the Southeast are identical to county lines. In the rest of the United States, this congruence is the exception rather than the rule, contrary to Cucchiara's claim (p. 201).

to the revitalization of an urban school district

Above all Cucchiara makes us think long and hard about the validity of the claim that local officials ought to maximize property values and its corollary, the link between resources and location.<sup>6</sup> Where Fischel talks blandly of citizens, homeowners, and parents, Cucchiara clearly demonstrates that what he really means are middle-class and upper-middle-class households. They are the taxpayers who are supposed to secure the city's future and the pro-education parents who will fix its dreadful school system; they are also the main source of location-specific social capital (p. 113). The basic presumption underlying the Philadelphia effort is that middle-class parents would send their kids to public schools only if they could be assured that they would get firstclass services and a high quality educational product, which, when compared to the services and product received by most of the students in district, implied special treatment. Implicitly this meant channeling more of the district's scarce resources to relatively successful schools and to relatively advantaged middle-class children.

The distinction between Fischel's and Cucchiara's perspectives is especially pointed in their treatment of the late A.O. Hirschman's understanding of the social

mechanisms of exit and voice. Fischel argues that the primary virtue of voucher programs is also their greatest vice: greater competition among schools also erodes location-specific social capital (p. 230).

The tax-financed, local public school system makes "exit" (to private schools) more costly, which in turn promotes more "voice" within the community. Parents will inevitably seek to make their voices heard in their children's schools, wherever they are located. Public schools induce those within the same jurisdiction to have a more common voice in self-governance in other community matters.

In contrast, Cucchiara emphasizes that in Philadelphia professional parents effectively used the exit option as leverage in their effort to influence the district and their children's schools, which had the effect of disempowering working-class and African American parents (pp. 138-9).

[M]iddle-class parents often used "voice," working as activists to change the school. However, they did so with the threat of exit in the background (making it clear that if they were not satisfied, they would remove their children). ... When [working-class parents] were dissatisfied, they could not effectively wield the threat of exit. Their exit would not inflict the revenue loss [on the district] that the exit of middle-class families would. Moreover, unlike the middle class, these families had few alternatives.

Cucchiara acknowledges that the most of the changes wrought by middle-class activists came not at the expense of the rest of the

<sup>&</sup>lt;sup>6</sup>In so doing she tacitly revisits the analysis and arguments made by Gary J. Miller (1981), one of the giants of American social science, with respect to municipal governance and reaches very similar conclusions.

district, but instead involved the mobilization of additional, extramural resources. Furthermore, the small direct investment made by the district to upgrade center-city schools was almost certainly repaid many times over by the subsequent growth in the property-tax base.

Nevertheless, Cucchiara argues persuasively that this intervention harmed low-income families in two ways. First, valorization of middle-class and upper-middle-class families devalued their poorer counterparts. Under the center-city initiative "a family's entitlement to the public schools became linked to its social status and ability to help improve the schools" (p. 15). As a consequence low-income and African-American parents felt devalued and threatened (p. 208), which, Cucchiara argues, violates "core democratic ideals of seeing each citizen as equally valuable and worthy of full participation in public institutions" (p. 20).<sup>7</sup>

Second, increasing property values within a municipality inevitably means displacing low-income families. In this case it also

meant pushing students from low-income families from outside the center city out of the targeted schools, creating in the words of one district official "a center of privilege." Consequently, this effort affected not only the allocation of district resources and parent status and power within schools, but also student enrollment patterns (p. 15). Students from low-income families from outside the center-city catchment area were pushed out as schools filled up with local students and from inside the catchment area and by equally dramatic changes in local demographics. In 2000, 38 percent of children 0-5 in the district were white, 47 percent black; by 2009 these sums were more than reversed, to 57 percent and 24 percent (p. 179).

Consequently, Cucchiara asks if a more universal improvement strategy is available to cities like Philadelphia, one in which middle-class parents, with their political savvy and commitment to education, would "hold school officials to higher standards and facilitate class and race integration, potentially raising achievement among lowincome students" (Varady and Raffel, 1995, quoted on page. 9). She identifies two models for further exploration: Boston and Wake County school districts. According to Cucchiara Boston's logic was similar to that which motivated the Philadelphia city-center effort, as was its execution at the targeted sites. However, Boston did two things differently. It addressed the dynamics of privilege and exclusion within targeted schools, seeking to build greater solidarity across the classes and races comprising the schools, prior to the initiation of the

<sup>&</sup>lt;sup>7</sup>She suggests that much of the dissatisfaction with the center-city effort voiced in the Philadelphia School District's central office reflected this concern, but not all. "The district's approach to civic engagement provided minimal opportunities for parents to be involved in agenda setting or crafting policy" (p. 209). Some of the opposition to the center-city effort developed only after middle-class activists challenged the bureaucratic prerogatives of district officials.

intervention (p. 199). And, it targeted a far higher proportion of the schools in the district as magnets for recruiting middle-class parents. Of course, Boston had a higher proportion of good schools and a lower proportion of bad schools than Philadelphia to begin with.

Wake County School District's intervention was more transformational. Its goal was to have no bad schools. To make this possible, it assigned students so as to insure that none of its schools enrolled more than 40 percent low-income students or more than 25 percent performing below grade level. This was possible because the district included both the central city and most of its suburbs. Furthermore, the district invested heavily in building the technical skills of teachers and principals, assessing students, and establishing data systems, all of which are needed if districts are to learn how to improve instructional practice and student achievement. Consequently, despite a significant increase over the course of the intervention in the proportion of students coming from low-income families, student achievement within the district improved dramatically.

From Boston, Cucchiara takes the lesson that district officials can and should "use

their power as representatives of a public institution to insure that all families in a school are on equal footing" (p. 208). She also concludes that efforts to recruit middle-class families should not focus on a single neighborhood or set of elite schools (p. 208).

Extrapolating from Wake County, Cucchiara concludes that, because middle-class families will always be in short supply in America's big cities, school districts must be expanded to embrace entire metropolitan areas (p. 207). Here, she seems to be arguing that it is better to compel middle-class parents to send their kids to urban schools than to try to get them to do so voluntarily, if that would have the effect of devaluing or displacing poor families. In contrast, Fischel would like to see large-city districts broken up into smaller districts, with perhaps no more than one or two high schools per district, but acknowledges that this probably isn't practicable. He could only find evidence of only one district in entire United States that has ever accomplished mitosis. Consequently, he implies that charter schools or vouchers are, perhaps, the best hope available for improving student outcomes in urban districts. Although he does not hold out too much hope for these arrangements, even as a solution to the problem of big city school districts, in part because the evidence suggests that administrative and financial decentralization are more valuable to good schools than to bad ones, where they may be, in fact, contraproductive.

Economists are preoccupied with incentives. Consequently, we are predisposed to believe

<sup>&</sup>lt;sup>8</sup>Interestingly that is what Fischel argues the market wants for the most part as well: pretty good, standardized, largely interchangeable schools. Beyond that most of the amenities demanded by upper-middle and upper class parents largely go to the emphasis they give to their children's enjoyment of school.

that links between burdens/resources and meaningful consequences are good things. Insofar as most local services are concerned, a jurisdiction's property values are usually held to be the most important measure of consequential success or failure. Of course, in the case of educational services, this predisposition says nothing about basic support levels or even very much about average resources per pupil, but is almost exclusively concerned with marginal effects. In contrast, Cucchiara sees equal funding as a worthwhile goal in and of itself. She would like to sever the relationship between location and resources entirely.

Cucchiara grounds her conclusions about location and resources on two *priori beliefs*. The first has to do with the demand for educational services, the second with democratic governance. It is her position that education is primarily a public, not a private good, and should, therefore, be supplied equally to all. We are inclined to believe that this argument misconceives the nature of public goods. Public goods are characterized by two characteristics, nonexcludability and non-exhaustibility, which means that only one quantity can be supplied to the citizenry within a given jurisdiction, that the citizenry's enjoyment the good is entirely passive, and that the good must be equally provided to all, whether they like it or not.

Clearly neither of these characteristics nor their implications apply to educational services, at least not for the most part. Consequently, most economists believe that educational services are primarily private goods, although because they are collectively supplied they fall into a special class of private goods, called club goods. For a friend of education, this should generally be seen as a good thing. The single most powerful implication of the theory of public goods is that they tend to be under supplied. The principal exception to this generalization occurs where they are combined with private goods and dominated by the latter.

However, to say that education is not primarily a public good does not mean that Cucchiara's conclusion is wrong. Repairing her argument in this case is fairly straightforward. Equity or, more correctly, enjoying the benefits of living in a reasonably fair and equitable community is itself a public good and the delivery of educational services and amenities may be an effective means of promoting its provision. However, the relationship between educational services and a more equitable society is an empirical question, one that Cucchiara neither asks nor answers. Our own view of the evidence is that improving access to and the scope of preschool services and meeting students' basic needs and, thereby, raising attendance once they have started school will go further toward improving outcomes for students from low-income families than increasing school resources per se (Heckman, 2008; Curry and Almond, 2011; Brooks Gunn, 2003).

Cucchiara's conclusions also rest upon a peculiar view of democratic governance, which holds that citizens are entitled to

certain services simply "by virtue of their membership within a polity," that governments are obligated to provide these services equally to all, and that this obligation cannot be outweighed by other considerations (p. 211). Consequently, if education is one of the services to which the citizens of a state or a school district are entitled, it *must* be provided equally to all. Here too, we are inclined to take issue with her argument. We would freely grant that all citizens have certain rights and have been afforded certain entitlements, but what those entitlements are and how far they go is entirely a matter for the members of the polity to decide through its participation in the processes of democratic governance, deliberation, and debate (Dewey, 1916). Cucchiara is well within her rights to argue that education should be a service to which all citizens are equally entitled; that education is a service to which all citizens are equally entitled violates both fact (Hartney and Flavin, 2013) and logic.<sup>9</sup>

<sup>9</sup>If the goal is improving the prospects of low-income households, better education is fairly low on the list, after jobs, income support, better health, and stronger families. Moreover, better schools undoubtedly rank below an earlier start to school as a means to improving educational outcomes for children from low-income families. The gap in measurable skills between children from poor homes and children from affluent homes found at the end of high school is already present at kindergarten entry. Also, during summer vacations, when children are out of school, those from lower-income families tend to fall farther than those from income groups (Downey, Von Hippel, and

Cucchiara also contrasts the entitlements of citizens to those of customers, which are defined primarily by their ability and willingness to pay. Here too, her claims take a curious turn: "customers are entitled to nothing beyond the fruits of [their] participation." We would take issue with this claim and also the implied claim that what citizens deserve to get from the state does not or, perhaps, should not depend upon their participation. Customers are owed fair dealing, courtesy and consideration, and value for money. More importantly, citizens have a responsibility to participate in the processes of democratic governance and to shape the outcomes of those processes to meet their needs and preferences. In a very real sense, we deserve what we get from the state, whatever that is.

Indeed, we would argue that, from the standpoint of democratic governance, the most important criterion by which any institutional arrangement should be judged is the degree to which it promotes citizen engagement and participation in the management of the polity and an understanding of the consequences of collective choices for themselves and their neighbors. And, while this factor does not outweigh all other considerations, it should weigh very heavily in our assessment of alternative institutional arrangements.

Broh, 2004; Alexander, Entwisle, and Olson, 2007). This tells us that on average schools are not primarily responsible for the savage inequalities found in American life, but are if anything part of the solution.

From this standpoint, our idiosyncratic system of fiscal federalism appears to work fairly well in general and specifically with respect or the governance of public education. There is evidence that the system promote citizen monitoring of school performance (Berry and Howell, 2007), that higher tax prices and home ownership are associated with higher levels of monitoring (Davis and Hayes, 1993) and that greater reliance on property taxes and other measures of decentralized control are associated with greater efficiency on the part of school districts (Grosskopf, Hayes, and Taylor, 2001). Further, looking at interstate variations in average student achievement, operating stability, flexibility, and transparency, one consistently finds that they are inversely related to state level financing and control, both in crosssectional analysis and panel studies (Beseley 2007). In the face of this evidence, one might conclude that it would be wiser to question the merits of state-level finance/governance than district-level governance.

We are not claiming this is strong evidence. With a sample of 50, parsing the relationship between governance variables, such as state funding, and student outcomes is an iffy proposition. For example, when one controls for child-poverty rates and deletes Hawaii and California, the negative relationship between state control and student achievement disappears. Delete the states of the Deep South, where districts are organized along county lines, and it is reversed. One gets similar results when one controls for funding levels: deleting a couple

of observations eliminates the negative relationship between state funding and student achievement or even reverses it. 10 As a result, one cannot categorically reject Fusarelli and Cooper's claim that increased state (and federal) financing and control have "led to improvements in student achievement and to less inequities in student outcomes" (2009: p. 264).

Moreover, while fiscal equivalence emphasizes the importance of geographically defined districts and ownsource revenue, primarily property taxes. It offers little advice as to the optimal size of districts: smaller and homogeneous (perhaps achieved via Tiebout sorting, abetted by land-use zoning regulations) are generally held to be better in theory, which might suggest that neighborhoods ought to define the boundaries of education service provision districts, but economies of scale and scope also matter. While some of operating economies that are associated with greater enrollment may be due to indivisibilities created by state and federal mandates, there is ample evidence that, up to

<sup>&</sup>lt;sup>10</sup> This analysis relied on data on local entities' taxing authority and principals' self-assessments of their ability to control school resources from the National Center for Education Statistics' 2007 Schools and Staffing Survey, the National Center for Education Statistics' current expenditure per pupil in average daily attendance in public elementary and secondary schools, by state, for 2008-9, the National Assessment of Educational Progress's 2009 state 8<sup>th</sup> grade math scores, and the American Community Survey's state child poverty rates for 2009.

some (relatively low) level, larger schools and multi-school districts are inherently more efficient than smaller schools and single-school districts (Jacques, Brorsen and Richter, 2000; see also Fischel, 2009).

To an economist, one of the more persuasive warrants for the belief that size can make a positive contribution to educational productivity lies in the fact that independent and charter schools increasingly and voluntarily affiliate themselves with groups of similar schools and support-service providers (Miron and Urschel, 2010; Hannaway and Kimball, 1998). Of course, devolution of governance from the municipal to the school level might hasten this process, not to mention the development of multi-site school systems. 11 Elmore claims that this would be especially likely where horizontal integration provides an opportunity for the kind of measurement and perturbation that is needed for institutional learning and, thereby, large-scale improvement of instructional practice and student achievement. If money followed the child to urban education providers, largescale improvement would presumably confer a significant competitive advantage for multi-site systems and franchises (Elmore 2000: p. 12).

Is this a vain hope? Many existing big-city school districts are already highly vertically and horizontally integrated; this has not guaranteed large-scale improvement. One might argue that, absent choice-based funding mechanisms, big-city districts lack an incentive to make the necessary investment in learning and capacity building.

In sum, nobody knows which governance arrangement is best situated to carry out the tasks required improve educational achievement, this holds a fortiori for big city districts, although many have fierce opinions. The best way to answer this question is via experimentation with a variety of institutional arrangements, combined with better outcome and institutional measures so that we can make sense of the results. Nevertheless, we are strongly inclined to believe that there is no one best way to govern schools, but that the workability of alternative arrangements will depend upon particular situations and contexts. If so, experimentation with a variety of governance arrangements might be a worthwhile end in itself.

To design worthwhile experiments we need to know more about school districts: what do they contribute to educational programs, what do they do to build capacity, how do they organize things, what human-resource management practices and financing mechanisms do they employ, how do they

<sup>&</sup>lt;sup>11</sup>On the other hand, Miron and Urschel (2010) found, based on a sample 738 schools managed by nonprofit education management organizations (EMOs) in 2009, a negative relationship between number of schools managed by EMOs and Adequate Yearly Progress (AYP) ratings.

Consequently, it would be premature to draw hard and fast conclusions about the merits of education management organizations.

deliver business services and, most importantly, what, if any, differences do these things make? We have a lot to learn about school districts. Maybe now there is reason enough to do so.

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