

# MICROFILM DIVIDER

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ROLL NUMBER

DESCRIPTION

1169

2007 HOUSE EDUCATION

HB 1169

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1169

House Education Committee

Check here for Conference Committee

Hearing Date: 24 January 2007

Recorder Job Number: 1817

Committee Clerk Signature

*Jan Frindle*

Minutes:

**Representative Duane DeKrey, District 14**, introduced the bill. **(Testimony Attached.)** To remove the requirement for the Superintendent of Public Instruction to have a teaching certificate has nothing to do with the present superintendent Dr. Wayne Sanstead, but only to increase the pool of people with knowledge and foresight for the position.

**Janet Welk, executive director of the Education Standards and Practices Board**, testified in opposition to the bill. **(Testimony Attached.)**

**Representative Hunskor:** The superintendent chooses department heads. They need to have a dialogue between them every day to implement policy. Does that play into the picture?

**Welk:** The department heads have their own focus and abilities in that specific area. The state superintendent has to know it all and be able to be able to understand it all. That includes finance and personnel issues that all agencies have. But there are also educational leadership skills that the superintendent needs.

**Chairman Kelsch:** It looks like your paper is more geared toward superintendents of school districts not the superintendent of the state. Secondly, if these seven skills are necessary is that something that your board uses to interview potential candidates for the department.

What do you use those for specifically?

**Welk:** Your first question in regard to the district, basically the district has an educational

leader. The research was based on the district not on the state because I don't think there has been any research done on the state, but you can use the same level of leadership and the same types of skills. The second question is those seven skills are built in to our master's level program for educational administration and they are identified and documented at each institution.

**Chairman Kelsch:** Are you suggesting then that we add an additional requirement that they be an administrator as well.

**Welk:** That might be a consideration.

**Chairman Kelsch:** Interesting in that most of our administrators are reaching retiring age and there are not many new administrators entering the ranks.

**Wayne Sanstead, superintendent of Public Instruction,** testified in opposition of the bill.

**(Testimony Attached.)**

**Representative Solberg:** Can you recall how many times legislation similar to this has been introduced?

**Sanstead:** My last appearance on the subject was in 1999, HB 1361. I did listen to the tapes of the testimony of that bill and it was interesting to note at that time there were proponents of the bill. I'm a debate coach of some years so I know there's a pro and con to every issue so I appreciate that this is not personally directed but a profession consideration that was apparent from that debate. I was opposed to it then and it received a Do Not Pass from the committee with a vote of 27 in favor and 70 opposed on the house floor. Last session in the final hours of the session in the conference in the middle of the appropriations bill language was inserted that provided for the removal of the teaching certificate from the superintendent's position.

Needless to say that caught my attention and ire. Putting that language in a finance bill was

inappropriate and later the Senate insisted on the removal of that language. Those are the two occasions that I've heard of this.

**Representative Solberg:** Wouldn't this be a step backward from our present system of qualifications.

**Sanstead:** Certainly I feel that way and I think the professional community across the state will feel that way. By the way I do teach. I'm scheduled for a full day of teaching on Feb 1 in a school district in ND that has a patriotic observance day. When I took this office in 1985, I had an earned doctorate in education from the UND but my experience was secondary classroom speech, debate and social studies. In those days there were no NCLB requirements for highly qualified but we did have a major/minor rule. What I did when I assumed the office was to spend the next two years in classes making sure that I earned an elementary degree so when I go into a school classroom I fully qualify and the teachers know full well they have someone that does. You ought to see the teachers line up in the hall and peer into the door to see how it's going. They want to know if you are able to do the job and not just tell them how. I take great pride in this and try to teach 3 – 5 days a month except when the legislature is in session.

**Representative Myxter:** I attest to the fact that Dr. Sanstead does teach. I student taught for him in 1966 at Minot High.

**Chairman Kelsch:** Is this requirement in the constitution also?

**Sanstead:** No it is not. The elective nature of the office is in the constitution. Montana has an elective position also and they must hold a bachelor's degree. SD appoints and they are called commissioners. You can usually tell if a person is elected or appointed by the title. Commissioner is given those appointed.

**Chairman Kelsch:** In your opinion, the way the bill currently reads, is there any prohibition for an individual without a degree from running.

**Representative Mueller:** Is there anything in the NCLB rules that say we ought to have highly qualified administrators or is it inferred that we have them in our state?

**Sanstead:** The requirement for the content area of the teachers. The administrator requirement is not there. In ND we have in our approval process we have basic requirement for all teaches to be licensed. It is one of the most stringent in the nation.

**Representative Hunsakor:** There may very well be on the state and the federal level leaders that who are not trained or skilled in that particular arena. Is the office you are in different from some of those or is it imperative that it be licensed.

**Sanstead:** Most national officers are appointed by the president there may be a process.

**Chairman Kelsch:** I have had opportunity to network with some of your people who do not hold teaching certificates on various committees and task forces and I must say they are excellent educational leaders.

**Doug Johnson, ND Educational Leaders,** spoke in opposition to the bill. We believe it is important that the superintendent be highly qualify as instructed by law. We think it important that the superintendent be certified. We think it's very important the individual have a knowledge and understanding of what's happening in the classroom in a school setting. A master's degree in educational leadership would be nice too as that would give them an understanding of the financial aspects of the educational processes of the school. However, as it stands we support keeping the qualifications as they are.

**Representative Haas:** When you became a school administrator what license did you have before you became an administrator?

**Johnson:** You have to minimum of three years of experience as a teacher plus a current teacher's license in the state of ND.

**Representative Haas:** Why not then expand the requirement and say the superintendent must have school administrator's credentials.

**Johnson:** From our position that is important. That could be something that you could certainly add.

**Representative Haas:** At the local level then the first requirement is that you be a licensed teacher.

**Gloria Lokken, president of the NDEA,** spoke in opposition to the bill. The NDEA feels formal educational credentials are essential. The superintendent makes educational decisions that affect all of our schools' education and every student's experiences. We feel a formal background in education is required. We urge a do not pass.

**Bev Nielson, ND Council of School Boards,** testified in opposition to the bill. One problem with the way the law now stands is that we get the best politician. That happens with elected position. Our organization holds the position that we need a constitutional amendment to establish an actual functioning board of education in this that interviews and hires qualified candidates for the superintendent position like Higher Ed has. This would open it up to people from outside of the state. The teaching certificate is minimal. We also need for them to have the ability to hire and manage people. This is a very important position and too important to be left to politics.

There being no further testimony, **Chairman Kelsch** closed the hearing of HB 1169

# 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. **HB 1169**

## House Education Committee

Check here for Conference Committee

Hearing Date: **7 February 2007**

Recorder Job Number: **3033 and 3081 (2:50 – end)**

Committee Clerk Signature

*Jan Prudde*

Minutes:

**Chairman Kelsch:** HB 1169 is the bill before us. What are the wishes of the Committee?

**Representative Herbel:** For discussion purposes, I **Move Do Pass**.

**Representative Karls:** I second.

**Representative Hunsakor:** As I said before when we talked about this bill, whoever the superintendent is has to have some expertise as he would visit with his department heads in that arena. It's plain and simple.

**Chairman Kelsch:** One question I have is, the superintendent of public instruction office typically they get a non-partisan, or non-political, or non-party candidate. However, they go and receive a letter of endorsement either from both political parties or a political party. If they do not receive that letter, they can still run in the primary if they get enough signatures.

Procedurally, is that how it is done?

**Representative Mueller:** Is there a petition signature requirement.

**Chairman Kelsch:** Do you have to have a letter?

**Bev Neilson:** A letter does not get you on the ballot. You need to get signatures to get on the ballot.

**Representative Herbel:** I see what a great job a non-educator does in leading this

committee that sets the policy that DPI lives by. We do have capable people who can do the job. That swayed me to make this motion.

**Vice Chairman Meier:** It was really surprising to me to find that we are one of only two states in the nation that requires their superintendent to have a teaching license.

**Representative Mueller:** I have to resist the do pass motion. Once in a while these guys should get into the classroom. The present one does. I think there is some value in it in that he knows a little bit more about what's happening in that classrooms and the challenges and issues that are being faced by teachers and the schools in which those teachers work. That makes sense to me. We are not going to elect an attorney general that isn't a lawyer. You are not going to a doctor about your stomach ache if he is a dentist. I think we need to retain that requirement in the code.

**A roll call vote was taken: Yes: 5, No: 6, Absent: 2 (Solberg and Johnson)**

**Chairman Kelsch:** We will adjourn until the call of the chair.

**Later on the same day, the Committee again discussed HB 1159.**

**Representative Herbel:** I move Do Pass.

**Representative Karls:** I second.

**Chairman Kelsch:** The first motion failed; however, we had a member not here. He is here now.

**Representative Mueller:** We still have a member missing.

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House Education Committee

Bill/Resolution No **HB 1169**

Hearing Date: **7 Feb 07**

**Chairman Kelsch:** We had two members missing. If Representative Solberg were to show up right now, we could do it all over again.

**A roll call vote was taken:**

Representative Haas: I am going to qualify my vote. In order to get this out of here without a tie vote, I'm going to vote yes, but I will not support it on the floor.

**Yes: 7, No: 5, Absent: 1 (Solberg)**

**Representative Meier will carry the bill.**

Date: 7 Feb 07  
Roll Call Vote #: \_\_\_\_\_

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1169

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Also Pass

Motion Made By Herbel Seconded By Karls

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓		Rep Hanson		✓
V Chairman Meier	✓		Rep Hunskor		✓
Rep Haas		✓	Rep Mueller		✓
Rep Herbel	✓		Rep Myxter		✓
Rep Johnson			Rep Solberg		
Rep Karls	✓				
Rep Sukut	✓				
Rep Wall		✓			

Total Yes 5 No 6

Absent 2 (Johnson & Solberg)

Floor Assignment fail

If the vote is on an amendment, briefly indicate intent:

Date: 7 Feb 07  
Roll Call Vote #: 2

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1169

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken do Pass

Motion Made By Herbel Seconded By Karls

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓		Rep Hanson		✓
V Chairman Meier	✓		Rep Hunskor		✓
Rep Haas	✓		Rep Mueller		✓
Rep Herbel	✓		Rep Myxter		✓
Rep Johnson	✓		Rep Solberg		
Rep Karls	✓				
Rep Sukut	✓				
Rep Wall		✓			

Total Yes 7 No 5

Absent 1 (Solberg)

Floor Assignment Review

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1169: Education Committee (Rep. R. Kelsch, Chairman) recommends DO PASS**  
(7 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1169 was placed on the  
Eleventh order on the calendar.

2007 SENATE EDUCATION

HB 1169

# 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1169

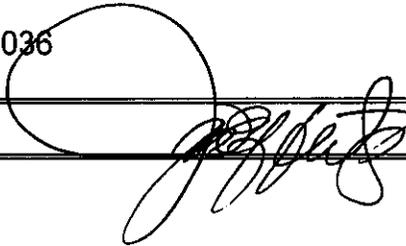
Senate Education Committee

Check here for Conference Committee

Hearing Date: March 14, 2007

Recorder Job Number: 5035, 5036

Committee Clerk Signature



Minutes:

Chairman Freborg opened the hearing on HB 1169, a bill relating to the qualifications of the superintendent of public instruction. All members were present.

Representative DeKrey introduced the bill. The Fargo Forum yesterday said this is nothing more than a political bill and he is here to assure the committee he submitted the bill because he firmly believes it's the right thing to do. He did not talk to anyone in leadership in the party or either chamber, he put in the bill on his own volition. It is his bill alone. The other names that are on the bill were asked to be on the bill by him, not by anyone else. He has always found it strange that in all the state wide elected offices, only two have any requirements other than to be a North Dakota citizen. In particular, with the Superintendent of Public Instruction, we are limiting our pool of qualified candidates by making it a certificate position. While he was working on this bill, a local attorney told him he thought it was not constitutional.

Representative DeKrey said he had not thought of that angle before. As long as he had the bill before him, he sent the letter down to the Attorney General and asked for an opinion.

(Attorney General's opinion attached.) His opinion is that it's probably unconstitutional. The legislature put criteria on this position that the original founders of the constitution did not. This is an extremely important position in the state. We need a person in the position that can

manage a million dollar plus agency and can show leadership for education. This bill has nothing to do with Dr. Sanstead. The voters have overwhelmingly told us they are happy with what he is doing. He put the bill in because he can't believe a person like Senator Freborg or Representative Raeann Kelsch or Senator Taylor could not be excellent candidates for that position. They have management skills, government skills and a passion for education. That is what is important in the Superintendent of Public Instruction job. He graduated as a teacher and he had a lot of classmates who graduated as teachers and their teaching license does not necessarily make them qualified candidates for Superintendent of Public Instruction. The Agriculture Commissioner is not required to be a farmer or agriculture graduate, in fact one of our most popular was a lawyer with no farm background. The governor is not required to have any degree in business administration. The only office he can see that should require special criteria is the Attorney General which the Supreme Court has determined needs to be a lawyer, the constitution just says "learned in the law".

Senator Flakoll asked when the current law was put in place.

Representative DeKrey said after the constitution.

Senator Bakke asked if there has ever been a Superintendent of Public Instruction who has not been a teacher.

Representative DeKrey said he has no idea. The voters of North Dakota are very intelligent, they have no problem sorting out the criteria they want for their office holders. They would want a candidate that has been deeply involved in education in some manner, not necessarily a teacher. It could be experience on a school board, legislative service on the Education Committee, service on blue ribbon commissions.

Senator Bakke said some practical day to day experience in schools provides some depth of understanding of the system.

Representative DeKrey said no doubt. He has not submitted this bill because he wants the black smith who has never finished high school to run for Superintendent of Public Instruction. This is so a person with a passion for education and who has demonstrated the management, financial and leadership skills in education would be qualified for this job and that is not necessarily a certified teacher.

Senator Flakoll asked if it is true the current Superintendent of Public Instruction did not receive a letter of endorsement from either political party at the last state convention?

Representative DeKrey said that is correct.

Senator Flakoll asked if the Superintendent of Public Instruction, to keep his license up to date, must receive continuing education credit from those who work for him?

Representative DeKrey said yes.

Senator Taylor asked if it is common to have an Attorney General's opinion during the course of drafting legislation?

Representative DeKrey said its not. The Attorney General said it's not common. He was qualified to ask for an opinion so he did.

Senator Bakke asked if it was possible if this bill passed the local black smith could apply and become Superintendent of Public Instruction?

Representative DeKrey said absolutely. That is the way we elect people in North Dakota and that is the way they lose elections, too.

Chairman Freborg asked if that same black smith could run for governor?

Representative DeKrey said he sure could. The only thing he couldn't be was attorney general.

Gary Gronberg, Department of Public Instruction, presented testimony for Wayne Sanstead, Superintendent of Public Instruction, who was unable to attend. (Written testimony attached)

Senator Gary Lee asked if the law as written today does the certificate holder need to have actually taught in the classroom to be Superintendent of Public Instruction?

Mr. Gronberg said they would have to have student taught to have received the license in the first place. In order to receive an ongoing license, they must have had actual classroom teaching.

Senator Gary Lee said they would not have to have been an active teacher.

Mr. Gronberg said to receive the original license, they don't need to have taught beyond student teaching. In order to renew the license and to keep it current, there must be education to advance in the licensure area. You can continue to renew the license but you don't get a five year license if you don't experience teaching. Continuing education is a requirement but you would continue to receive a short term license if you do not have classroom experience.

Senator Gary Lee asked what qualifications are required in other states.

Mr. Gronberg said he does not know the exact numbers. There are states that do not require their chief administrator to have a teaching license. There are a number that are not elected, they are appointed, usually by an educational board. Some have higher education responsibilities as well.

Senator Gary Lee asked if a college professor would have a teaching license.

Mr. Gronberg said no, they are not required to be licensed.

Senator Gary Lee said they would not be qualified to be Superintendent of Public Instruction.

Mr. Gronberg said that is correct.

Senator Bakke asked the advantages of having someone with a teaching credential in this position.

Mr. Gronberg said the experience, having been able to know the basis for education policy formation is a helpful thing to administer it. The development and implementation of standards are based on the concepts and skills we want students to know and demonstrate.

Senator Bakke asked if he would foresee problems with the black smith being the Superintendent of Public Instruction?

Mr. Gronberg said that is hard to anticipate. A good leader surrounds himself with experts. It would be possible to carry out the functions and the job. They could hire a good staff. It would be helpful to be a licensed teacher.

Senator Flakoll said the testimony did not address the Attorney General's opinion. If it's unconstitutional, what is the recourse?

Mr. Gronberg said he cannot comment on it if the Attorney General says it is so. They would advocate this bill should be a constitutional amendment instead of a bill to remove the qualification. They think it's a necessary qualification and one that should be validated with whatever means possible. He cannot recall anyone who has not had the qualification. The question of how long it has been in law, he thinks a very long time, over 50 years. Why change it now?

Senator Flakoll said we can't change this bill into a constitutional amendment.

Mr. Gronberg said he is not sure of the legislative process in order to do that.

Senator Taylor said it takes more than an opinion to prove constitutionality. It takes a plaintiff to bring it to court and challenge it. Has he ever heard of anyone wanting to go so far?

MR. Gronberg said not that he is aware of.

Senator Gary Lee asked if the leadership people in the department are certified teachers.

Mr. Gronberg said they have both. Some job descriptions require a teacher qualification and some do not.

Senator Bakke asked him to expand on that. What positions do not require a teaching credential?

Mr. Gronberg said support staff do not need licenses. The professional staff, in the technology area, there are jobs that do not require teaching licenses. In the finance area, they do not require teaching licenses, some have them anyway. There are a number of positions that do not require a teaching license.

Gloria Lokken, NDEA, testified in opposition to the bill. She believes the Superintendent of Public Instruction must be an educational leader with a teaching license. They must make education decisions that affect the entire state and a formal education background helps them make decisions that will benefit those students. They have to have a day to day grounding in the classroom.

Doug Johnson, North Dakota Council of Educational Leaders, testified in opposition to the bill. It is important the Superintendent of Public Instruction have a background in education. There is a knowledge base in how schools operate and how they interact with curriculum development and instructional strategies in the classroom. They are an important part of decision making and the department's work. He would prefer a degree in educational leadership because they have a real understanding of the administrative side. In regards to the history, about 4 months ago there was a news broadcast on Prairie Public radio that talked about Dr. Qwain's wife (Q and R Clinic) who, in 1897, ran for Superintendent of Public Instruction and she was not a certified teacher. She could not run so she went back and got her teaching license and was later elected.

Senator Bakke asked if most administrators have a teaching credential and what is the benefit.

Mr. Johnson said all school administrators must have a teaching license. It is very important for them to understand the operations of the classroom and the perspective from which the teacher teaches.

Senator Bakke asked if the same would be true for the Superintendent of Public Instruction?

Mr. Johnson said it is important for the Superintendent of Public Instruction to have that understanding. It is possible without a license but it would give a better edge in understanding the processes.

Senator Bakke asked if he sees a problem with someone without a teacher's license in that position.

Mr. Johnson said it is hard to quantify. Personally, as an administrator, there are certain things that go on in a classroom in a school that you have a sense of because of your historical experience.

Chairman Freborg closed the hearing on HB 1169.

Senator Taylor said we should leave it as is. If someone wants to bring suit, they should go ahead and give it a go. He won't vote for the bill.

Senator Bakke said she agrees. Philosophically, when they are leading teachers, if they are not a part of the profession, you don't understand it. She will not vote for the bill.

Senator Gary Lee said he will support the bill, It offers a wider pool of candidates. He was surprised to hear that even some of those here testifying with key roles in the department in terms of responsibility for education and testing aren't educators themselves. You can be a teacher in credential without having taught in the classroom or not having taught in the classroom for many, many years. He thinks it is a large bureaucratic agency that needs someone with administrative skills, particularly. He agrees completely the job requires a passion for education and a desire for a strong educational system here in the state.

Senator Flakoll said he is interested in a succession plan, many assistants don't have the current qualification. For example, Greg Gallagher has a psychology degree and he is in charge of standards.

Senator Bakke said in recent years, some of the difficulties in the office of Superintendent of Public Instruction came from the support staff not understanding the profession from a first hand standpoint. That shows it is valuable to have that license.

Senator Taylor said it is a good idea for a school superintendent to have a teaching license. T is equally important for a state superintendent to have a license.

Senator Taylor moved a Do Not Pass on HB 1169, seconded by Senator Bakke.

The motion failed 2 – 3.

Senator Flakoll moved a Do Pass on HB 1169, seconded by Senator Gary Lee.

The motion passed 3 – 2. Senator Gary Lee will carry the bill.





**REPORT OF STANDING COMMITTEE (410)**  
March 14, 2007 11:23 a.m.

**Module No: SR-48-5276**  
**Carrier: G. Lee**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1169: Education Committee (Sen. Freborg, Chairman) recommends DO PASS**  
**(3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1169 was placed on the**  
**Fourteenth order on the calendar.**

2007 TESTIMONY

HB 1169

HB 1169  
24 Jan 07

Madame Chairman and Members of the House Education Committee

For the record, my name is Duane DeKrey, a Representative from District 14, Pettibone.

I stand before you in support of HB 1169 that removes the requirement from code that the Superintendent of the Department of Public Instruction hold a teaching certificate.

I would like to provide you with some statistical information regarding the characteristics and qualification of the chief state school officer or CSSO's. According to a survey that was done by the Education Commission of the States, there are only two states that require their chiefs to have teacher certification, Arkansas and North Dakota. Two states require administrator certification, Alaska and Idaho.

There are seven states that stipulate that the Chief State School Officer must have at least a master's degree and four states require CSSO's to have at least a bachelors degree.

Currently, there are 17 states that elect their chiefs and the other states appoint their chiefs either by an appointment by the governor or the state board of education. In South Dakota, the position of state superintendent of schools was abolished in 1991 by executive order, and the duties were consolidated with those of the secretary of the Department of Education and Cultural Affairs.

I believe that the requirement for a teaching certificate for the North Dakota superintendent of public instruction is out of date and no longer necessary. It seems to me that this position has evolved into one that requires good management skills and the ability to be the voice and face of the future of education in North Dakota. By removing this requirement, there is nothing that prohibits an individual that chooses to run for the superintendent of public instruction from holding a teaching certificate. The law would just state that a teaching certificate is no longer a "requirement" in order to run for the office.

The current superintendent has not been in the classroom for approximately 30 years.

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HB 1169  
34 Jan 07

Testimony on HB 1169

By

Janet Placek Welk



Good afternoon, Madam Chair and Members of the House Education Committee. For the record, I am Janet Welk, Executive Director of the Education Standards and Practices Board and wish to testify on behalf of the Education Standards and Practices Board in opposition of HB 1169.

HB 1169 effectively takes away the top educational leader in North Dakota. To be licensed to teach in ND, you must have graduated from an approved teacher education program, have completed a four-year baccalaureate program in a subject content area, successfully complete basic skills and content tests, have completed a minimum of ten weeks of student teaching, possess a 2.50 grade point average, and go through the criminal history background check.

Through this process of a four-year degree and student teaching, the teacher has demonstrated skills in the content area, pedagogical content knowledge, understanding strategies for managing student behavior, understanding curriculum, student learning theories, and other educational aims and values. These are the minimum standards with which a teacher can receive a license.

This teaching license is then used as the foundation for an administrator's credential. To possess an administrator's credential, you must have taught in the classroom for a minimum of three years and complete advanced educational administrative coursework in education finance, school law, supervisory theory, curriculum, and educational leadership.

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Allan A. Glatthorn in his research has identified seven skills of an effective educational leader. They are (1) content knowledge; (2) pedagogical content knowledge; (3) general pedagogical knowledge; (4) curriculum knowledge; (5) knowledge of learners and their characteristics; (6) knowledge of educational contexts; and (7) knowledge of educational aims, values, and their philosophical and historical grounds.

Effective educational leadership is demonstrated by leaders:

- Encouraging teachers to strengthen their role as leaders of learning;
- Ensuring the focus is on continuous improvement of learning;
- Supporting school leaders in developing and improving their schools; and
- Providing teachers and leaders with examples of best practice supported by current research.

Mid-Continent Research for Education and Learning (McREL) in their most recent issue of *Changing Schools*, examined how school systems can use research to stop the pendulum of change and begin making real progress toward the one true constant that guides us all: student success.

In the latest of its continuing series of research on school, leadership, and classroom practices related to student achievement, McREL conducted a meta-analysis of research on the effect of superintendent leadership on student achievement. For this study, McREL researchers identified 27 research reports conducted since 1970 that examined, using quantitative, rigorous methods, the influence of school district leaders on student performance. Using a sophisticated research technique called a meta-analysis, McREL combined data from separate studies into a single sample, creating what McREL believes to be the largest-ever quantitative examination of research on superintendents.



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Altogether, these studies involved 2,714 districts and the achievement scores of 3.4 million students. The study produced the following major findings:

**Finding 1: District-level leadership matters**

The McREL research team, led by McREL President and CEO Tim Waters and McREL Senior Fellow Robert J. Marzano, found a statistically significant relationship (a positive correlation of .24) between district leadership and student achievement.

**Finding 2: Effective superintendents focus their efforts on creating goal-oriented districts**

McREL researchers also identified five district-level leadership responsibilities that have a statistically significant correlation with average student academic achievement. All five of these responsibilities relate to setting and keeping districts focused on teaching and learning goals.

**Finding 3: Superintendent tenure is positively correlated with student achievement**

McREL found two studies that looked specifically at the correlations between superintendent tenure and student achievement. The weighted average correlation in these two studies was a statistically significant .19, which suggests that length of superintendent tenure in a district positively correlates to student achievement. These positive effects appear to manifest themselves as early as two years into a superintendent's tenure.

McREL continues on page 20, "For two decades, superintendents, district office personnel, and school board members have worked to overcome the image of the "blob" created by William Bennett. Undoubtedly, there are school district bureaucracies for which this label applies. However, we have found a substantial and positive relationship between district-level leadership and student

achievement when the superintendent, district office staff, and school board member do the "right work" in the "right way." These findings suggest that superintendents, district office staff, and school board members can contribute to school and student success when they are focused on fulfilling key leadership responsibilities and using the practices reported in this study. In short, these findings help to dispel the myth of the "blob" perpetuated by Bennett, Finn, and Cribb. I'm attaching a copy of the report for your information.

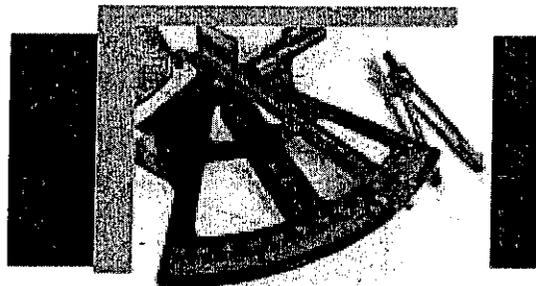
North Dakota students need and deserve the qualifications and leadership skills provided by a licensed educator in the top education office for the state to be competitive in a global marketplace.

Thank you for the opportunity to testify today and I would be happy to answer any questions. If you have questions after my testimony today, I can be reached at 328-9646 or [jwelk@nd.gov](mailto:jwelk@nd.gov).

# **School District Leadership that Works: The Effect of Superintendent Leadership on Student Achievement**

**A Working Paper**

J. Timothy Waters, Ed.D. & Robert J. Marzano, Ph.D.



**MREL**

September 2006

## About the Authors

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## About McREL

Mid-continent Research for Education and Learning (McREL) is a nonprofit education and research organization based in Denver, Colorado. For more than 40 years, McREL has been dedicated to helping educators use research to improve student achievement. Our Web site ([www.mcrel.org](http://www.mcrel.org)) offers hundreds of free reports, tools, and guides designed to improve school and student performance. To learn more about how McREL can help your district use findings from this research to improve student achievement, contact us at 303.337.0990 or [info@mcrel.org](mailto:info@mcrel.org).

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# School District Leadership that Works

## The Effect of Superintendent Leadership on Student Achievement

A Working Paper

J. Timothy Waters, Ed.D. & Robert J. Marzano, Ph.D.

### Executive Summary

To determine the influence of district superintendents on student achievement and the characteristics of effective superintendents, Mid-continent Research for Education and Learning (McREL), a Denver-based education research organization, conducted a meta-analysis of research – a sophisticated research technique that combines data from separate studies into a single sample of research – on the influence of school district leaders on student performance.

This study is the latest in a series of meta-analyses that McREL has conducted over the past several years to determine the characteristics of effective schools, leaders, and teachers. This most recent meta-analysis examines findings from 27 studies conducted since 1970 that used rigorous, quantitative methods to study the influence of school district leaders on student achievement. Altogether, these studies involved 2,817 districts and the achievement scores of 3.4 million students, resulting in what McREL researchers believe to be the largest-ever quantitative examination of research on superintendents. The following four major findings emerged from the study.

#### **Finding 1: District-level leadership matters**

The McREL research team, led by McREL President and CEO Tim Waters and McREL Senior Fellow Robert J. Marzano, found a statistically significant relationship (a positive correlation of .24) between district leadership and student achievement.

#### **Finding 2: Effective superintendents focus their efforts on creating goal-oriented districts**

McREL researchers also identified five district-level leadership responsibilities that have a statistically significant correlation with average student academic achievement. All five of these responsibilities relate to setting and keeping districts focused on teaching and learning goals.

##### *1. Collaborative goal-setting*

Researchers found that effective superintendents include all relevant stakeholders, including central office staff, building-level administrators, and board members, in establishing goals for their districts.

## **2. Non-negotiable goals for achievement and instruction**

Effective superintendents ensure that the collaborative goal-setting process results in non-negotiable goals (i.e., goals that all staff members must act upon) in at least two areas: student achievement and classroom instruction. Effective superintendents set specific achievement targets for schools and students and then ensure the consistent use of research-based instructional strategies in all classrooms to reach those targets.

## **3. Board alignment and support of district goals**

In districts with higher levels of student achievement, the local board of education is aligned with and supportive of the non-negotiable goals for achievement and instruction. They ensure these goals remain the primary focus of the district's efforts and that no other initiatives detract attention or resources from accomplishing these goals.

## **4. Monitoring goals for achievement and instruction**

Effective superintendents continually monitor district progress toward achievement and instructional goals to ensure that these goals remain the driving force behind a district's actions.

## **5. Use of resources to support achievement and instruction goals**

Effective superintendents ensure that the necessary resources, including time, money, personnel, and materials, are allocated to accomplish the district's goals. This can mean cutting back on or dropping initiatives that are not aligned with district goals for achievement and instruction.

### **Finding 3: Superintendent tenure is positively correlated with student achievement**

McREL found two studies that looked specifically at the correlations between superintendent tenure and student achievement. The weighted average correlation in these two studies was a statistically significant .19, which suggests that length of superintendent tenure in a district positively correlates to student achievement. These positive effects appear to manifest themselves as early as two years into a superintendent's tenure.

### **A surprising & perplexing finding: "Defined autonomy"**

One set of findings from the meta-analysis that at first appears contradictory involves building-level autonomy within a district. One study reported that building autonomy has a positive correlation of .28 with average student achievement in the district, indicating that an increase in building autonomy is associated with an *increase* in student achievement. Interestingly, that same study reported that site-based management had a negative correlation with student achievement of (-) .16, indicating that an increase in site-based management is associated with a *decrease* in student achievement. Researchers concluded from this finding that effective superintendents may provide principals with "defined autonomy." That is, they may set clear, non-negotiable goals for learning and instruction, yet provide school leadership teams with the responsibility and authority for determining how to meet those goals.

## Background

In 1998, McREL began a series of meta-analytic studies that we view as third-generation effective schools research. The first generation of effective schools research, conducted from the late 1960s to the mid-1980s, produced the first set of “effective schools correlates” – school-level practices that researchers found more evident in schools with higher levels of student achievement than in schools with lower levels of student achievement, even when accounting for variances in student backgrounds and socioeconomic status. These correlates included practices such as the following.

- Safe and orderly environment
- Strong instructional leadership
- High expectations for student achievement
- Clear and focused mission
- Time on task

Findings from this first generation of research established the first empirical relationship between practices used in schools and student achievement. The general conclusion drawn from these studies was that what happens in schools matters. Differences in achievement among schools are not just a reflection of the characteristics of students who attend them, but also the efforts of professionals within those schools.

As helpful as these findings were, the effective school correlates lacked sufficient specificity for practitioners to distinguish clearly and consistently between truly effective and ineffective practices. Nor did the first generation of effective schools research compute the strength of the relationships between identified practices and student achievement. The strength of these relationships have generally been reported as effect sizes. Although many types of effect sizes can be used to report the strength of relationships (see Lipsey & Wilson, 2001), school effectiveness research most often reports effect sizes as correlation coefficients.

In the 1970s, 80s, and 90s, researchers continued to examine the relationship between classroom practices, school practices, and student achievement. As the findings from these studies began to accumulate, a body of research-based knowledge emerged, along with increasingly robust sets of data for secondary analysis. This body of knowledge and these data evolved into the second generation of effective schools research. In this generation, researchers were able to more explicitly describe effective practices *and* compute the effect sizes, or strength of relationship, between specific practices and student achievement.

The new, third generation of effective schools research translates well-defined, effective classroom, school, and leadership practices into specific actions and behaviors. These actions and behaviors represent the basic procedural, or “how-to,” knowledge practitioners

need to translate research into practices that produce high levels of student achievement. McREL's contributions to this third generation of effective schools research has been published as a series of "what works" books, including *Classroom Instruction that Works* (Marzano, Pickering, & Pollock, 2001), *What Works in Schools* (Marzano, 2003), *Classroom Management that Works* (Marzano, Marzano, & Pickering, 2003), and *School Leadership that Works* (Marzano, Waters, & McNulty, 2005). Each study in this series was built on earlier studies and helped establish the foundation for subsequent analyses. Similarly, McREL's most recent analysis of the effects of superintendent leadership on student achievement incorporates aspects of each of the previous "what works" studies – most notably the findings from the meta-analysis of research on school leadership, reported in the book, *School Leadership the Works*.

In *School Leadership that Works*, we answered four important questions about school-level leadership.

1. Does principal leadership have an effect on average student achievement in school?
2. Are there specific leadership responsibilities that, when fulfilled skillfully, correlate with student achievement?
3. What practices do principals use to fulfill leadership responsibilities?
4. What is the variation in the relationship between school leadership and student achievement? Stated differently, do behaviors associated with strong leadership always have a positive effect on student achievement?

The answer to the first question is yes. Principal leadership *does* have discernable effects on student achievement. In fact, we found the correlation between school level leadership and average student achievement in schools to be .25.

We answered the second question by identifying 21 school-level leadership responsibilities with statistically significant correlations to student achievement. These 21 responsibilities do not represent all of the important responsibilities principals are expected to fulfill. They do, however, represent leadership responsibilities that, when fulfilled skillfully, positively impact student achievement. Of the many *important* responsibilities principals are expected to fulfill, the 21 reported in *School Leadership that Works* are *essential* to producing higher levels of student achievement (Waters & Grubb, 2005).

We answered the third question by identifying 66 practices principals use to fulfill the 21 responsibilities that positively influence student achievement. The 21 responsibilities are generalizations about what principals and other school-level leaders do that positively influence achievement. The 66 practices are more specific descriptions of what they are doing to fulfill these responsibilities.

In answering the fourth question, we found that behaviors associated with strong leadership at the school level do not always have a positive relationship with student achievement. That is, we found studies in which principals were rated as strong leaders, yet student achievement levels were low in their schools.

We postulated at least two plausible factors that could explain this finding. The first is the focus of principal leadership. Even strong leaders need to focus their attention and their school's efforts on practices that are likely to improve student achievement.

The second factor is the "magnitude of the change" implied by the leader's focus (for more discussion, see pp. 17-19). In addition to focusing their attention and improvement efforts on practices that are highly likely to improve achievement, principals must also skillfully adapt their leadership behaviors based on the "order of magnitude" of the change implied by this focus. Failing to focus on the "right" practices, and/or failing to effectively manage the change implied by these practices, can produce what we have called the "differential impact of leadership"—leadership that on the surface appears strong, but does not positively influence student achievement.

Our findings, conclusions, and recommendations regarding school-level leadership, first-order and second-order change, and managing second-order change are summarized in *School Leadership that Works* (2005). After completing this study of school-level leadership, we turned our attention to superintendent leadership. Using the same methods we employed in our study of principals, we sought answers to the following research questions regarding superintendent and district-level leadership.

### Research questions

We asked the following basic research question for our meta-analysis of research on superintendents:

- What is the strength of relationship between leadership at the district level and average student academic achievement in the district?

In addition, we asked the following related research questions:

- What specific district-level leadership responsibilities are related to student academic achievement?
- What specific leadership practices are used to fulfill these responsibilities?
- What is the variation in the relationship between district leadership and student achievement? Stated differently, do behaviors associated with strong leadership always have a positive effect on student achievement?

This working paper reports our initial answers to these questions. A more detailed and technical accounting of our findings, conclusions, and recommendations will be reported in the forthcoming book *Leadership at the Top* (Marzano & Waters, in preparation). As in

each of the “what works” studies, we used meta-analyses to synthesize quantitative research studies. Although not part of our initial set of questions, we are able to answer a fifth question that we believe to be of interest to superintendents and local school board members, but is not specifically focused on superintendent responsibilities and practices:

- Is there a relationship between length of superintendent service and student achievement?

We think of the answer to this fifth question as a “bonus” finding that was not initially part of our inquiry.

### **Key Finding: District leadership makes a difference**

The answers we found to these five questions affirm the long-held, but previously undocumented, belief that sound leadership at the district level adds value to an education system. However, these answers stand in stark contrast to the image of superintendents, school boards, and district office staff created by former Secretary of Education William Bennett, who characterized superintendents, district office staff, and school board members as part of the education “blob.”

Bennett first coined the term the “blob” in his state of education speech in the spring of 1987 (*Education Week*, March 2, 1987). The “blob,” he argued, is made up of people in the education system who work outside of classrooms, soaking up resources and resisting reform without contributing to student achievement. He reiterated this assertion in *The Educated Child* when he and his co-authors wrote:

*The public school establishment is one of the most stubbornly intransigent forces on the planet. It is full of people and organizations dedicated to protecting established programs and keeping things just the way they are. Administrators talk of reform even as they are circling the wagons to fend off change, or preparing to outflank your innovation ... To understand many of the problems besetting U.S. schools, it is necessary to know something about the education establishment christened the “blob” by one of the authors (Bennett, Finn, & Cribb, 1999, p. 628)*

Bennett, Finn, and Cribb include superintendents, district office staff, and local school board members as part of the “blob.” Certainly, one could find examples of local school district bureaucracies that stand in the way of efforts to improve student learning. Indeed, our research supports the assertion that not all superintendent behaviors produce a positive impact on student achievement. However, our research does not support Mr. Bennett’s broad-stroke condemnation of superintendents, district office staff, and school board members. To the contrary, our findings indicate that when district leaders effectively address specific responsibilities, they can have a profound, positive impact on student achievement in their districts.

## Methodology

The methodology used in our study of district-level leadership was meta-analysis. The specifics of meta-analysis are detailed in a number of works (see Lipsey & Wilson, 2001; Cooper & Hedges, 1994). In brief, meta-analysis is a series of quantitative techniques for synthesizing research regarding a specific topic. In this case, that topic is school district leadership.

The targeted sample for our meta-analysis was all available studies involving district leadership or variables related to district leadership in the United States from 1970 until 2005 that possess the following characteristics:

- Reported a correlation between district leadership or district leadership variables and student academic achievement or allow for the computing or estimating of a correlation, and
- Used a standardized measure of student achievement or some index based on a standardized measure of student achievement.

To identify potential studies that met these criteria, four databases were queried: ERIC, PsychINFO, Dissertation Abstracts, and the AERA online search services. Keywords employed in those searches included: *superintendent leadership*, *district leadership*, *effective superintendents*, and *effective districts*. In all, over 4,500 non-repeating titles were retrieved. Of those titles, abstracts revealed that over 200 retrievable documents appeared to meet the identified parameters. These documents were retrieved and examined. Of those, 27 met the identified criteria. The demographics for these 27 reports were as follows:

- Number of districts involved: 2,714
- Number of ratings of superintendent leadership: 4,434
- Estimated number of student achievement scores: 3.4 million

Although there was a good deal of variation in the methodologies employed, the majority of studies surveyed superintendents regarding their perceptions of district-level variables. In some cases, the superintendents' perceptions were combined with those of other related constituents such as board members, school-level administrators, and teachers. This perceptual data was then correlated with average student academic achievement at the district level.

## Findings

The key findings of the meta-analysis for the basic research question and related questions are described below.

### The impact of district leadership on student achievement

As noted earlier, we set out to answer the following basic research question:

*What is the strength of relationship between leadership at the district level and average student academic achievement in the district?*

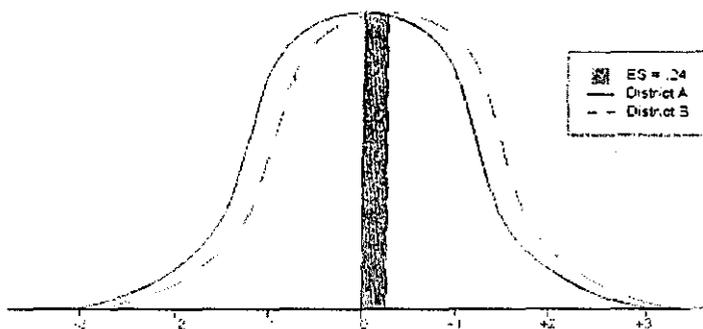
Of the 27 reports examined in the meta-analysis, 14 (excluding statistical outliers) contained information about the relationship between overall district-level leadership and average student academic achievement in the district. These 14 reports included data from 1,210 districts. The computed correlation between district leadership and student achievement was .24 (95% confidence interval: .19 to .30). The fact that the 95 percent confidence interval does not include 0 indicates that this correlation is significant at the .05 level.

Correlations such as these can be interpreted in a variety of ways (for a review see Cohen, Cohen, West, & Aiken, 2003). One of the most common interpretations is to examine the expected change in the dependent variable associated with a one standard deviation gain in the independent variable (Magnusson, 1966). In this case, the independent variable is district-level leadership and the dependent variable is average student achievement in the district.

One way to interpret the .24 correlation is to consider an average superintendent who is at the 50<sup>th</sup> percentile in terms of his or her leadership abilities and leading a district where average student achievement is also at the 50<sup>th</sup> percentile. Now, assume that the superintendent improves

his or her leadership abilities by one standard deviation (in this case, rising to the 84<sup>th</sup> percentile of all district leaders). Given the correlation between district leadership and student achievement of .24, we would predict that average student achievement in the district would increase by 9.5 percentile points. In other words, average student achievement in the district would rise to the 59.5<sup>th</sup> percentile as shown in Figure 1.

Figure 1: Effect size of leadership on student achievement



Curve A in Figure 1 depicts a district at the 50<sup>th</sup> percentile in terms of average student achievement and average district-level leadership. Curve B depicts the expected average academic achievement of students in the same district after the district leadership has increased in quality by one standard deviation. Again, average student academic achievement increased from the 50<sup>th</sup> percentile to the 59.5<sup>th</sup> percentile – a gain of almost 10 percentile points.

This finding stands in sharp contrast to the notion that district administration is a part of an amorphous blob that soaks up valuable resources without adding value to a district's instructional program. To the contrary, these findings suggest that when district leaders are carrying out their leadership responsibilities effectively, student achievement across the district is positively affected.

### **District leadership responsibilities correlated with student achievement**

Our second research question sought to identify the specific leadership responsibilities that produce gains in student achievement:

*What specific district leadership responsibilities are related to student academic achievement?*

In response to this question, we found five district-level leadership responsibilities with a statistically significant ( $p < .05$ ) correlation with average student academic achievement. They are as follows:

- The goal-setting process
- Non-negotiable goals for achievement and instruction
- Board alignment with and support of district goals
- Monitoring the goals for achievement and instruction
- Use of resources to support the goals for achievement and instruction

We describe each of these responsibilities in more detail in the following sections.

#### ***Collaborative goal-setting***

Effective superintendents include all relevant stakeholders, including central office staff, building-level administrators, and board members, in establishing non-negotiable goals for their districts. In particular, they ensure that building-level administrators throughout the district are heavily involved in the goal-setting process since these are the individuals who, for all practical purposes, will implement articulated goals in schools. Involving principals and school board members in the goal setting process does not imply that consensus must be reached among these stakeholders. However, it does imply that once stakeholders reach an acceptable level of agreement regarding district goals, all stakeholders agree to support the attainment of those goals.

### *Non-negotiable goals for achievement & instruction*

Effective superintendents ensure that the collaborative goal-setting process results in non-negotiable goals (i.e., goals that all staff members must act upon) in at least two areas: student achievement and classroom instruction. This means that the district sets specific achievement targets for the district as a whole, for individual schools, and for subpopulations of students within the district. Once agreed upon, the achievement goals are enacted in every school site. All staff members in each building are aware of the goals and an action plan is created for those goals.

With respect to goals for classroom instruction, this responsibility *does not* mean that the district establishes a single instructional model that all teachers must employ. However, it *does* mean that the district adopts a broad but common framework for classroom instructional design and planning, common instructional language or vocabulary, and consistent use of research-based instructional strategies in each school.

Another characteristic of this responsibility is that all principals support the goals *explicitly* and *implicitly*. Explicit support means that school leaders engage in the behaviors described above. Implicit support means that building level administrators do nothing to subvert the accomplishment of those goals such as criticizing district goals or subtly communicating that the goals the district has selected are inappropriate or unattainable.

### *Board alignment with & support of district goals*

In districts with higher levels of student achievement, the local board of education is aligned with and supportive of the non-negotiable goals for achievement and instruction. The board ensures that these goals remain the top priorities in the district and that no other initiatives detract attention or resources from accomplishing these goals. Although other initiatives might be undertaken, none can detract attention or resources from these two primary goals. Indeed, publicly adopting broad five-year goals for achievement and instruction and consistently supporting these goals, both publicly and privately, are examples of board-level actions that we found to be positively correlated with student achievement.

It is not unusual that individual board members pursue their own interests and expectations for the districts they are elected to serve. This finding suggests, however, that when individual board member interests and expectations distract from board-adopted achievement and instructional goals, they are not contributing to district success, but, in fact, may be working in opposition to that end.

### *Monitoring achievement & instruction goals*

Effective superintendents continually monitor district progress toward achievement and instructional goals to ensure that these goals remain the driving force behind a district's actions. If not monitored continually, district goals can become little more than pithy refrains that are spoken at district and school events and highlighted in written reports. Effective superintendents ensure that each school regularly examines the extent to which it is to meeting achievement targets. Discrepancies between articulated goals and current

practices are interpreted as a need to change or to redouble efforts to enhance student achievement. In short, each school uses the achievement goals as their primary indicator of their success. The same can be said for instructional goals. Any discrepancies between expected teacher behavior in classrooms as articulated by agreed-upon instructional models and observed teacher behavior are taken as a call for corrective action.

#### *Use of resources to support the goals for instruction and achievement*

Superintendents of high-performing districts ensure that the necessary resources, including time, money, personnel, and materials, are allocated to accomplish the district's goals. This can mean cutting back on or dropping initiatives that are not aligned with district goals for achievement and instruction. Our analysis does not answer questions about the level of resources school districts must commit to supporting district achievement and instructional goals. However, it is clear from our analysis that a meaningful commitment of funding must be dedicated to professional development for teachers and principals. The professional development supported with this funding should be focused on building the requisite knowledge, skills, and competencies teachers and principals need to accomplish a district's goals. Furthermore, as professional development resources are deployed at the school level, they must be utilized in ways that align schools with district goals.

#### **A surprising & perplexing finding: "Defined autonomy"**

One set of findings from the meta-analysis that at first appears contradictory involves building-level autonomy within a district. One study reported that building autonomy has a positive correlation of .28 with average student achievement in the district, indicating that an increase in building autonomy is associated with an *increase* in student achievement. Interestingly, that same study reported that site-based management had a negative correlation with student achievement of (-) .16, indicating that an increase in site-based management is associated with a *decrease* in student achievement.

Other studies on site-based management reported slightly better results. However, the average correlation between site-based management and student achievement was (for all practical purposes) 0. This apparent contradiction begins to make sense, however, in light of the five district-level leadership responsibilities described above.

How can we find "school autonomy" positively correlated with student achievement and site-based management exhibiting a negligible or negative correlation with achievement? This question might be answered in at least two of the earlier findings. The superintendent who implements inclusive goal-setting processes that result in board adopted "non-negotiable goals for achievement and instruction," who assures that schools align their use of district resources for professional development with district goals, and who monitors and evaluates progress toward goal achievement, is fulfilling multiple responsibilities correlated with high levels of achievement. When this superintendent also encourages strong school-level leadership and encourages principals and others to assume responsibility for school success, he or she has fulfilled another responsibility; to establish a relationship with schools. This relationship is characterized by "defined autonomy," which is the expectation and support to lead *within the boundaries defined by the district goals*.

Superintendents in districts large enough to employ assistant superintendents, directors, and other administrative staff members, will quickly recognize the implications of this finding for their district office staff. A shared understanding of and commitment to a relationship with schools of "defined autonomy" is critical. In most large districts, superintendents fulfill responsibilities for planning, goal adoption, board alignment and support, resource alignment, and monitoring primarily through the district office staff. When an understanding of "defined autonomy" is shared and honored by all district office personnel, district-level leadership contributes positively to student achievement. When the district office staff is unable or unwilling to support schools' "defined autonomy," they may very well resemble what William Bennett labeled the "blob."

### **The "bonus" finding**

Our meta-analysis produced one finding that initially was not a focus of the study, but emerged from the analysis of the reports. Two studies that we examined reported correlations between superintendent tenure and student academic achievement. The weighted average correlation (corrected for attenuation) from these two studies was .19 significant at the .05 level.

This finding is rather profound in light of the discussion in the introductory section regarding the alleged lack of impact on student achievement attributed to the blob. Specifically, this finding implies that the longevity of the superintendent has a positive effect on the average academic achievement of students in the district. These positive effects appear to manifest themselves as early as two years into a superintendent's tenure.

### **Practices used to fulfill leadership responsibilities**

We also set out to answer the following research question:

*What specific leadership practices are used to fulfill these responsibilities?*

From the studies we analyzed, we were able to extract specific practices used by superintendents to fulfill the six responsibilities described in the previous sections. Figure 2 on the following pages lists these practices along with their average correlations.

Figure 2: Leadership responsibilities and practices

Superintendent responsibilities	Avg r	Practices used by superintendent & executive/district office staff to fulfill superintendent responsibilities
<p><b>Goal-setting process</b></p> <p><i>The superintendent involves board members and principals in the process of setting goals.</i></p>	.24	<p>Developing a shared vision for the goal setting process</p> <p>Using the goal setting process to set goals developed jointly by board and administration</p> <p>Developing goals that are coherent and reflect attendant values which support involvement and quality in achievement rather than maintenance of the status quo</p> <p>Communicating expectations to central office staff and principals</p>
<p><b>Non-negotiable goals for achievement &amp; instruction</b></p> <p><i>Goals for student achievement and instructional program are adopted and are based on relevant research.</i></p>	.33	<p>Modeling understanding of instructional design</p> <p>Establishing clear priorities among the district's instructional goals and objectives</p> <p>Adopting instructional methodologies that facilitate the efficient delivery of the districts curriculum</p> <p>Incorporating varied and diverse instructional methodologies that allow for a wide range of learning styles that exist in a multi-racial student population</p> <p>Adopting 5-year non-negotiable goals for achievement and instruction</p> <p>Ensuring that a preferred instructional program is adopted and implemented</p>
<p><b>Board alignment with &amp; support of district goals</b></p> <p><i>Board support for district goals for achievement and instruction is maintained.</i></p>	.29	<p>Establishing agreement with the board president on district goals</p> <p>Establishing agreement with the board president on type and nature of conflict in the district</p> <p>Along with the board president, remaining situationally aware, agreeing on the political climate of the school district</p> <p>Establishing agreement with the board president on the nature of teaching/learning strategies to be used in the district</p> <p>Providing professional development for board members</p> <p>Establishing agreement with the board president on the effectiveness of board training</p>
<p><b>Monitoring goals for achievement &amp; instruction</b></p> <p><i>The superintendent monitors and evaluates implementation of the district instructional program, impact of instruction on achievement, and impact of implementation on implementers.</i></p>	.27	<p>Using an instructional evaluation program that accurately monitors implementation of the district's instructional program</p> <p>Monitoring student achievement through feedback from the instructional evaluation program</p> <p>Using a system to manage instructional change</p> <p>Annually evaluating principals</p> <p>Reporting student achievement data to the board on a regular basis</p> <p>Ensuring that the curricular needs of all student populations are met</p> <p>Observing classrooms during school visits</p> <p>Coordinating efforts of individuals and groups within the organization to increase reliability of the system, with adjustments by individuals to quickly respond to system failures</p>

Superintendent responsibilities	Avg r	Practices used by superintendent & executive/district office staff to fulfill superintendent responsibilities
<b>Use of resources to support the goals for achievement &amp; instruction</b>  <i>Resources are dedicated and used for professional development of teachers and principals to achieve district goals</i>	.26	Adopting an instructional and resource management system supporting implementation of the district's instructional philosophy Providing extensive teacher and principal staff development Training all instructional staff in a common but flexible instructional model Controlling resource allocation Providing access to professional growth opportunities through the design of a master plan to coordinate in-service activities of the district

**The surprising and perplexing finding**

Superintendent responsibilities	Avg r	Practices used by superintendent & executive/district office staff to fulfill superintendent responsibilities
<b>Defined autonomy; superintendent relationship with schools</b>  <i>The superintendent provides autonomy to principals to lead their schools, but expects alignment on district goals and use of resources for professional development.</i>	.28	Developing a shared vision and understanding of "defined autonomy" Using standards for content and instruction as basic design principles Committing the district and schools to continuous improvement Screening, interviewing, and selecting teachers along with principals Hiring experienced teachers Rewarding successful teachers and terminating the employment of unsuccessful teachers Establishing teacher evaluation as a priority for principals Ensuring that principals speak with teachers about results Establishing strong agreed-upon principles/values which direct actions of people Ensuring that schools have a clear mission focused on school performance Ensuring that school practices are characterized by opportunity for all students to learn Including socializing functions in district meetings Maintaining high expectations for school performance Expecting principals to fulfill instructional leadership responsibilities Directing personnel operations to assure a stable yet improving and well-balanced work force Ensuring that schools are characterized by an orderly climate Promoting innovation Developing principal awareness of district goals and actions directed at goal accomplishment Providing leadership of curriculum development Ensuring that homogeneous ability groupings within classrooms do not segregate students into racial or other inappropriate groups Applying district sanctions to students for unsatisfactory academic performance Rewarding students beyond standard honor rolls and recognition assemblies for exceptional performance

Note: The r correlations reported in this table are derived from McREL's meta-analysis of research on superintendent leadership.

## The differential impact of leadership

Finally, we sought to answer the following research question:

*What is the variation in the relationship between district leadership and student achievement? Stated differently, do behaviors associated with strong leadership always have a positive effect on student achievement?*

We already have reported the general effect of district-level leadership. The correlation of district-level leadership with student achievement is .24. This is the "average" effect of leadership. Although this is the average effect, we found a range of effects with correlations as high as .54 and as low as -.13. This finding answers the related research question – there is a great deal of variation in the strength of relationship between district leadership and student achievement. Stated differently, behaviors associated with leadership at the district level are not always associated with an increase in average student achievement. We call this the "differential impact" of leadership.

There are many possible explanations for the differential impact of leadership. There are two, however, that we view as most plausible. They are derived from our study of school-level leadership (see Marzano, Waters, & McNulty, 2005). First, the effect of strong leadership could be mitigated if a superintendent is focused (or focuses the district) on goals that are not likely to affect student achievement. As we stated earlier, a superintendent can focus the attention and resources of the district on many goals. Not all of them have the potential to influence student achievement. By focusing a district on goals that are unlikely to impact achievement, a seemingly strong superintendent can have a minimal or even negative effect on student performance.

The second explanation for the differential impact of district-level leadership is the *order of magnitude* of change implied by the planning process, district goals, and alignment of resources. Even when the superintendent focuses the district on goals with the potential to improve achievement, he or she must accurately estimate the order of magnitude of change these goals imply for stakeholders. In our earlier work, we describe the characteristics of change that will be perceived as either first-order or second-order based on the implications of change for stakeholders. The terms first-order and second-order have as much to do with the *implications* of change for individuals expected to implement or who are impacted by it as they do with the specific features of change initiatives.

The theoretical literature on leadership and change asserts that not all change is of the same order of magnitude (Heifetz, 1994; Fullan, 1993; Beckard & Pritchard, 1992; Hesselbein & Johnston, 2002; Bridges, 1991; Rogers, 1995; Nadler, Shaw, & Walton 1994; Kanter, 1985). Some changes represent more significant implications for staff members, students, parents, and community members than others. We have used the terms *first-order* and *second-order* to distinguish between changes perceived as routine and those perceived as dramatic. Leading change theorists have used such terms as technical vs. adaptive, incremental vs. fundamental, and continuous vs. discontinuous to make this same distinction.

In our earlier work, we list perceived characteristics of change that will cause it to be viewed as either first-order or second-order based on its implications for stakeholders. Whether a change is perceived as first-order or second-order has as much to do with what it *implies* for the individuals expected to implement it or who are impacted by it as it does with the specific features of a change initiative.

Few changes can be considered as either first-order or second-order for all stakeholders. The same change may be viewed by a majority of stakeholders as first-order while at the same time it is perceived as second-order by a minority of stakeholders. The reverse can be true as well. What determines whether stakeholders perceive a change to be first-order or second-order is their own knowledge, experience, values, and flexibility. Figure 3 lists perceived characteristics of change that will cause stakeholders to perceive it as first-order or second-order.

**Figure 3: Perceptions that can cause change to be viewed as first- or second-order**

First-order Change When a change is perceived as:	Second-order Change When a change is perceived as:
An extension of the past	A break with the past
Within existing paradigms	Outside of existing paradigms
Consistent with prevailing values and norms	Conflicted with prevailing values and norms
Implemented with existing knowledge & skills	Requiring new knowledge & skills to implement

An example of a change that most teachers might view as first-order is teaching the vocabulary students must understand to perform well in their school's assessment and accountability program. Teaching vocabulary that appears in the essential curriculum and in assessment instruments makes sense to most teachers. It is consistent with their prior experience, an incremental step that builds on the existing knowledge of pedagogy, is consistent with their personal values and the perceived norms of their school and district.

However, this is not true for all teachers. For some teachers, vocabulary instruction can be a second-order change. It is not consistent with their prior experience, conflicts with their personal values and the prevailing norms of their school or district, and requires them to gain new knowledge and skills. As a result, an effort to encourage direct teaching of vocabulary throughout the district is a change that can be a first-order change for most stakeholders but a second-order change for others.

Consider a second example: a decision to implement a system of standards-based record keeping, grading, and reporting. In this case, teachers would be asked to base their assessment of student performance on the standards or benchmarks adopted for their grade level or course of study. Grades would be calculated based on students' demonstrated learning at the end of a grading or assessment period, rather than averaging performance from the beginning to the end of the grading period. "Report cards" or other forms of

reporting to students and parents would reflect student performance using a rubric tied to each benchmark. Grades would be a product of how students performed against the criteria included in the rubric.

In most schools and districts, this approach to grading would represent a second-order change for most stakeholders. However, this may not be true for everyone. Some teachers, principals, and community members might view this change as a logical next step to their work with standards and benchmarks, consistent with their personal values and school and district policy development. For these stakeholders, this change would be a first-order change.

To avoid the "differential impact of leadership," it is necessary for superintendents to understand and to estimate accurately the order of magnitude the district's goals will imply for different stakeholders.

## Conclusion: Dispelling the Myth of the Blob

For two decades, superintendents, district office personnel, and school board members have worked to overcome the image of the “blob” created by William Bennett. Undoubtedly, there are school district bureaucracies for which this label applies. However, we have found a substantial and positive relationship between district-level leadership and student achievement when the superintendent, district office staff, and school board members do the “right work” in the “right way.” These findings suggest that superintendents, district office staff, and school board members can contribute to school and student success when they are focused on fulfilling key leadership responsibilities and using the practices reported in this study. In short, these findings help to dispel the myth of the “blob” perpetuated by Bennett, Finn, and Cribb.

In addition, the positive correlations that appear between the length of superintendent service and student achievement confirms the value of leadership stability. Superintendents should note the importance of remaining in a district long enough to see the positive impact of their leadership on student learning and achievement. Of equal significance is the implication of this finding for school boards as they frequently determine the length of superintendent tenure in their districts. In his book *Crash Course* (2005), Chris Whittle contrasts CEO stability in major corporations with superintendent stability in large urban school districts (see Figures 4 and 5).

Figure 4: Superintendent stability in selected urban districts

City	Number of superintendents in past 20 years	Avg. tenure in years
Kansas City	14	1.4
Washington, D.C.	9	2.2
New York City	8	2.5

Figure 5: CEO stability in selected corporations

Company	Number of CEOs in the past 20 years	Avg. tenure in years
General Electric	2	11
Federal Express	1	35
Microsoft*	1	30
Dell**	1	21

\* Bill Gates stepped down as CEO of Microsoft in 2000. Steve Ballmer now serves as Microsoft's CEO.

\*\* Michael Dell stepped down as Dell's CEO in 2004. Kevin Rollins now serves as Dell's CEO.

(*Crash Course*, P. 47)

The corporations listed in Figure 5 are generally acknowledged as among the most successful in the world. Whittle asserts that CEO stability accounts for a large percentage of their success. He also argues that the instability of superintendent leadership reflected in the school districts listed in Figure 4 accounts for much of the low student achievement found in too many school districts. If the stability of superintendents was to approximate the stability of CEO leadership, he claims, the performance of school districts would be enhanced. This obviously assumes the superintendent is focused on the "right" priorities and skillfully fulfilling his or her responsibilities. Our "bonus" finding of the relationship between superintendent stability and student achievement supports Whittle's conclusion.

School board members need to hire a superintendent who skillfully fulfills key leadership responsibilities. They need to support district goals for achievement and instruction. They need to support district- and school-level leadership in ways that enhance, rather than diminish, stability. When focused on effective classroom, school, and district practices, appropriate achievement and instructional goals, and effective leadership responsibilities, it is clear that school district leadership matters. Under these conditions, rather than be part of the "blob," superintendents, district office staff, and school boards can be part of the solution.

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**TESTIMONY ON HB 1169  
EDUCATION COMMITTEE**

**January 24, 2007**

**by Dr. Wayne G. Sanstead, State Superintendent**

**(701) 328-4570**

**Department of Public Instruction**

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Chairperson Kelsch and members of the House Education committee:

My name is Dr. Wayne Sanstead and I am the Superintendent for the Department of Public Instruction. I am here to speak in opposition to HB1169 which removes the only education requirement in qualifications for seeking and holding the elective office of the superintendent of public instruction.

Our nation and our state are currently striving for higher levels of achievement from our schools and our students. One of the important-very important considerations, in the improvement of student achievement, is making sure that we employ a highly qualified staff of educators. Those well qualified teachers carry out the components of a well developed educational policy. I believe that the professionals who provide the leadership in developing the system of education we seek must also be highly qualified!

House Bill 1169 is just the antithesis to the development of that system of education. If we truly desire to improve educational leadership and achievement, it is imperative that the leader of the entire system be well versed in education from the classroom through the development and administration of public policy. North Dakota wants to move forward, not backward. North Dakota is a national leader in education. One of the ways we keep that leadership position is to assure that all those associated with education are highly qualified, including our state education leader, The North Dakota Superintendent of Public Instruction.

This bill has been introduced before. Legislators have defeated this bill before because they realize it is without merit. It may serve the desires of a few ambitious job seekers, who cannot meet the current qualifications but it does not serve our students or our schools.

By requiring the State Superintendent to have the highest grade teaching certificate we are ensuring that our highest education leader has demonstrated the ability to convey knowledge, to develop and to know the content of state standards, to understand how students learn and how classrooms and schools work. We are also

assured that the Superintendent will have knowledge of educational aims, values and the philosophical and historical grounds for those aims and values.

In short, we need a Superintendent who is an education leader and one who knows and understands the process of effective student learning and all the components that make that process real and the best way to assure that competence is by insisting that any candidate for superintendent possess teaching credentials.

These days leadership requires a balance between inspiration and administration. You can't be just a leader, you must be an instructional leader. Leading education policy starts first, in my view, in the knowledge and appreciation of education practice. That's why House Bill 1169 represents a retreat in public policy. I urge you as leaders to give it a Do Not Pass recommendation.



Wayne Stenehjem  
ATTORNEY GENERAL

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**LETTER OPINION  
2007-L-05**

February 13, 2007

The Honorable Duane L. DeKrey  
State Representative  
House Chambers  
600 East Boulevard Avenue  
Bismarck, ND 58505

Dear Representative DeKrey:

Thank you for your letter asking whether the Legislature may impose statutory qualifications upon the office of Superintendent of Public Instruction over and above those established by the North Dakota Constitution. For the reasons set forth below, it is my opinion that a court faced with the issue would determine that the Legislature may not impose statutory qualifications upon the office of Superintendent of Public Instruction over and above those established by the North Dakota Constitution.

**ANALYSIS**

Article V of the North Dakota Constitution establishes the Superintendent of Public Instruction as an elected official.<sup>1</sup> Article V, § 4, N.D. Const., prescribes the qualifications of elected officials established by article V. It provides:

**Section 4.** To be eligible to hold an elective office established by this article, a person must be a qualified elector of this state, must be at least twenty-five years of age on the day of the election, and must have been a resident of this state for the five years preceding election to office. To be eligible to hold the office of governor or lieutenant governor, a person must be at least thirty years old on the day of the election. The attorney general must be licensed to practice law in this state.<sup>2</sup>

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<sup>1</sup> N.D. Const. art. V, § 2.

<sup>2</sup> N.D. Const. art. V, § 4.

The North Dakota Supreme Court addressed a similar provision in State ex rel. Graham v Hall.<sup>3</sup> In that case, the Legislature had enacted a law providing that any person who was a candidate for nomination for office at any primary election and who was defeated for the office was not eligible to be a candidate for the same office at the ensuing general election.<sup>4</sup> The court held that the statute was unconstitutional as applied to the office of Governor because it had the effect of adding to the qualifications for that office over and above those prescribed by the constitution.<sup>5</sup>

The constitutional provision addressed in Graham is similar to N.D. Const. art V, § 4. It provided that to be eligible for the office of Governor, the person must be a "citizen of the United States, and a qualified elector of the state, who shall have attained the age of thirty years, and who shall have resided five years next preceding the election within the state or territory . . . ."<sup>6</sup> In finding the statute unconstitutional, the court stated, "[i]n principle there is no difference between a legislative enactment which seeks to add qualifications to those specified in the Constitution and a legislative enactment which seeks to create a disqualification. The 'legislature cannot enlarge nor diminish constitutional provisions prescribing eligibility and qualifications to hold office created by Constitution.'"<sup>7</sup> In an earlier case, the North Dakota Supreme Court also held the same statute unconstitutional as applied to a candidate for congressional office because it imposed a qualification for holding the office in addition to those fixed by the United States Constitution.<sup>8</sup>

Section 15.1-02-01, N.D.C.C., requires, in addition to the qualifications prescribed in the constitution, that the superintendent also hold a valid North Dakota professional teaching license on the day of the election and at all times during the superintendent's term of office. This statute seeks to do what the North Dakota Supreme Court has said is

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<sup>3</sup> 15 N.W.2d 736 (N.D. 1944).

<sup>4</sup> Id. at 738.

<sup>5</sup> Id. at 741.

<sup>6</sup> Id. at 738.

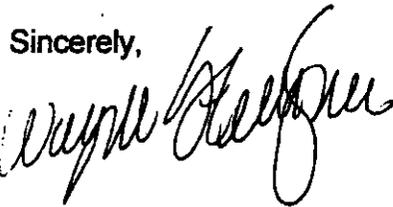
<sup>7</sup> Id. at 741 (citing State ex rel. Stain v. Christensen, 35 P.2d 775, 776 (Utah 1934)).

<sup>8</sup> State ex rel. Sundfor v. Thorson, 6 N.W.2d 89 (N.D. 1942). See also Spatgen v. O'Neil, 169 N.W. 491, 494 (N.D. 1918) ("we recognize the force of the principle, which, so far as our observation goes, is universally adhered to, that where the Constitution prescribes the qualifications of electors the Legislature is powerless to add to or subtract from those qualifications"); see also C. T. Foster, Annotation, Legislative Power to Prescribe Qualifications for or Conditions of Eligibility to Constitutional Office, 34 A.L.R.2d 155 (1954) ("It is quite generally considered that where the constitution lays down specific eligibility requirements for a particular constitutional office, the constitutional specification in that regard is exclusive and the legislature (except where expressly authorized to do so) has no power to require additional or different qualifications for such constitutional office.").

LETTER OPINION 2007-L-05  
February 13, 2007  
Page 3

unconstitutional – it imposes a qualification in addition to the qualifications prescribed by the constitution for the office of Superintendent of Public Instruction.

Normally, this office is reluctant to rule on the constitutionality of a statutory enactment unless there is substantial controlling case law, as there is in the present case.<sup>9</sup> Once enacted, “[a] statute is presumptively correct and valid, enjoying a conclusive presumption of constitutionality unless clearly shown to contravene the state or federal constitution.”<sup>10</sup> Because it is the Attorney General’s role to defend statutory enactments from constitutional attacks, this office has been reluctant to issue an opinion questioning the constitutionality of a statutory enactment.<sup>11</sup> Given the controlling case law on this question, however, it is my opinion that a court faced with the issue would determine the requirement that the superintendent hold a valid teaching license to be unconstitutional.

Sincerely,  


Wayne Stenehjem  
Attorney General

jak/pg

This opinion is issued pursuant to N.D.C.C. § 54-12-01. It governs the actions of public officials until such time as the question presented is decided by the courts.<sup>12</sup>

<sup>9</sup> See, e.g., N.D.A.G. 2003-L-18.

<sup>10</sup> Traynor v. Leclerc, 561 N.W.2d 644, 647 (N.D. 1997) (quoting State v. Ertelt, 548 N.W.2d 775, 776 (N.D. 1996)).

<sup>11</sup> N.D.A.G. 2003-L-18.

<sup>12</sup> See State ex rel. Johnson v. Baker, 21 N.W.2d 355 (N.D. 1946).

**TESTIMONY ON HB 1169  
SENATE EDUCATION COMMITTEE**

**March 14, 2007**

**by Dr. Wayne G. Sanstead, State Superintendent  
(701) 328-1240**

**Department of Public Instruction**

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Chairman Freborg and members of the Senate Education committee:

My name is Dr. Gary Gronberg and I am Assistant Superintendent for the Department of Public Instruction. I am here to present Dr. Sanstead's testimony in opposition to HB1169, as he is presenting at Marketplace for Kids in Dickinson this morning, which removes the only education requirement in qualifications for seeking and holding the elective office of the superintendent of public instruction.

Our nation and our state are currently striving for higher levels of achievement from our schools and our students. One of the important-very important considerations, in the improvement of student achievement, is making sure that we employ a highly qualified staff of educators. Those well qualified teachers carry out the components of a well developed educational policy. I believe that the professionals who provide the leadership in developing the system of education we seek must also be highly qualified!

House Bill 1169 is just the antithesis to the development of that system of education. If we truly desire to improve educational leadership and achievement, it is imperative that the leader of the entire system be well versed in education from the classroom through the development and administration of public policy. North Dakota wants to move forward, not backward. North Dakota is a national leader in education. One of the ways we keep that leadership position is to assure that all those associated with education are highly qualified, including our state education leader, The North Dakota Superintendent of Public Instruction.

This bill has been introduced before. Legislators have defeated this bill before because they realize it is without merit. It may serve the desires of a few ambitious job seekers, who cannot meet the current qualifications but it does not serve our students or our schools.

By requiring the State Superintendent to have the highest grade teaching certificate we are ensuring that our highest education leader has demonstrated the ability to convey knowledge, to develop and to know the content of state standards, to understand how students learn and how classrooms and schools work. We are also

assured that the Superintendent will have knowledge of educational aims, values and the philosophical and historical grounds for those aims and values.

In short, North Dakota needs a State Superintendent who is an education leader and one who knows and understands the process of effective student learning and all the components that make that process real and the best way to assure that competence is by insisting that any candidate for superintendent possess teaching credentials.

These days leadership requires a balance between inspiration and administration. You can't be just a leader, you must be an instructional leader. Leading education policy starts first, in my view, in the knowledge and appreciation of education practice. That's why House Bill 1169 represents a retreat in public policy. I urge you as leaders to give it a Do Not Pass recommendation.