

Winter 2013 Volume 8, Issue 1

School Leadership Review

The international, peer-reviewed journal of the Texas Council of Professors of Educational Administration

Winter 2013

Continuing to Step Forward Even If We Fall Backward

A Messenger for Change

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Framework for Understanding the Legal Structure of Texas Public Schools

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What Students Tell Us About School If We Ask

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ISSN: 1559-4998

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Timothy B. Jones, *Guest Editor*

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Table of Contents

Continuing to Step Forward Even If We Fall Backward..... 1

Mary Ann Whiteker

A Messenger for Change..... 3

Gary Bigham

Framework for Understanding the Legal Structure of Texas Public Schools 5

Nancy K. Votteler, Mary E. Robbins, and Debra Price

What Students Tell Us About School If We Ask.....24

2012 Winning TCPEA Graduate Research Exchange Paper

Dana Mitchell Barnes

Dennis Littky, The Educational Activity:

Can His Model Revamp the Public Educational System48

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Postage paid by the Texas Council of Professors of Educational Administration, 406 East 11th Street. Austin, TX 78701-2617.

Subscription Information. Texas Council of Professors of Educational Administration membership includes a subscription to *School Leadership Review*. The annual subscription is currently \$65.

Information and forms for membership or renewal can be found at:

<http://www.tcpea.org/membership.html>

Printed in the United States of America

Indexed in the Library of Congress

ISSN: 1559-4998

Call for Manuscripts

The editorial staff of *School Leadership Review* seeks high-quality, original manuscripts in consideration for the upcoming publication of the journal. The *School Leadership Review* is an internationally refereed journal sponsored and published by the Texas Council of Professors of Educational Administration and is designed to offer a publishing opportunity to professors of educational leadership across the country on topics related to school administration. We encourage submissions from new professors as well as those with years of valuable experience. Manuscript guidelines are as follows:

- ❖ Submissions should be 2,000 to 3,000 words in length (approximately 20 pages including references).
- ❖ Articles, including references, must follow the guidelines in the 6th edition of the APA Manual. Submissions in different formats will be automatically rejected.
- ❖ Limit the use of tables, figures, and appendices, as they are difficult to import into the journal text layout.
- ❖ Manuscripts must include a cover page with complete contact information (name, position, institution, mailing address, phone, email, and fax) for one or all authors.
- ❖ Manuscripts may be submitted at any time for consideration through the journal's blind review process.

Submit manuscripts electronically as an attachment to

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Continuing to Step Forward Even If We Fall Backward

It is hard to believe a year has gone by since the re-launch of *School Leadership Review* featuring our tribute issue. The response of the new look and feel has been incredible and your kind words and continued support is greatly appreciated by everyone associated with the editorial staff. The journal represents a significant financial investment on behalf of the **Texas Counsel of Professors of Educational Administration (TCPEA)** in addition to extraordinary in-kind assistance from the Institutions that house and support all of the editors and issue reviewers.

This issue is also supported by Abilene Christian University. Numerous universities, in addition to the in-kind partners mentioned above, sponsor specific issues in the way of advertising. These advertisements provide critical capital to support the journal without increasing subscription costs to our members or the subsidies from TCPEA which are necessary to produce it.

Volume 8, Issue 1 of the journal offers for your consideration:

Our invited author, **Mary Ann Whiteker**, a Texas superintendent of schools, provides a vision for school leaders to proactively suggest alternatives to our legislators and the Texas Education Agency for accountability and reform of our schools. She has worked with several superintendents across the state because they feel they have the expertise of schools and education and therefore, must take the lead for the future of our public schools.

With another very timely piece given the litigation currently in the Texas courts, **Gary Bigham** contributes to our understanding of the foundation of schools in Texas by reviewing the legal structures of public schools. In his article, he outlines and discusses pertinent laws and court actions that have impacted schools and their role in society.

The authors, **Nancy Votteler, Mary Robbins, and Debra Price**, advance the discussion on improving schools through an examination of urban students' perceptions and reflections on school safety and climate as well as students' expectations from teachers and administrators on how to have success. This piece is particularly timely given recent events discussed later.

The last article for your consideration is the work of the winner of the 2012-13 Graduate Research Exchange (GRE) held this past September in Austin. The Editorial Board proudly publishes **Dana Mitchell Barnes**, doctoral student at Texas A&M University-Commerce, winning entry at the GRE. Her entry, *Dennis Littky, the Educational Activist: Can His Model Revamp the Public Educational System?*, was one of more than 30 entries submitted for presentation. In this paper written under the supervision of **Dr. Casey Graham Brown**, Ms. Barnes discusses educational administrators through the eyes and work of Dennis Littky.

Finally, as we write this introduction and go to press on this issue, American schools are only a few days from the horrible events at the **Sandy Hook Elementary School** in Newtown Connecticut. There is perhaps no greater fear of any school administrator than the threat of danger in their school. Although hard to imagine at this point, we can only pray that this unthinkable day will someday yield something positive and good for the students of other schools. As a profession, we mourn the loss of 20 beautiful children and 6 dedicated professionals including an incredibly courageous building principal who did everything she could to prevent what happened on her campus. Hopefully, moving forward, we can help lead the conversation with politicians, school board members, community citizens and other stakeholders of meaningful improvements for school safety.

So, let us all do anything in our capacity toward making December 14, 2012 the last time a child in a school was harmed in any way. Let that day be a constant reminder of the dangers that lurk, that the safety of the school is the responsibility of everyone, and that **together** we can make school a safer place.

Best wishes for a prosperous 2013!

Timothy B. Jones, Ed.D.

Guest Editor

Pauline M. Sampson, Ph.D.

Associate Editor

A Messenger for Change

Mary Ann Whitekerⁱ

Hudson Independent School District

*Listen my children and you shall hear
Of the midnight ride of Paul Revere...
And so through the night went his cry of alarm...
A cry of defiance, and not of fear,
A voice in the darkness, a knock at the door,
A word that shall echo for evermore!
In the hour of darkness and peril and need,
The people will waken and listen to hear,
The hurrying hoof-beats of that steed,
And the midnight MESSAGE of Paul Revere!*

Henry Wadsworth Longfellow (1861)

Malcolm Gladwell’s book “The Tipping Point: How Little Things Can Make a Big Difference” looks at how major changes in our society often happen due to ideas, behavior and messages spreading in a manner similar to the outbreak of an illness — hence the coining of the term, “social epidemic.”

Gladwell used Paul Revere’s famous ride to Lexington to illustrate the power of “messaging”. Following the Boston Tea Party, the American Colonists reached a point of no return. Revere became the “one man – one voice”, starting a social epidemic that eventually led to the creation of a new nation! Revere carried the message; however, those he told carried the message to others – thus the epidemic. The contagious “spreading” of the message resulted in a new beginning for America.

It is now time for all educators to embrace the power of a social epidemic. Schools across Texas are embracing a “New Vision for Texas Public Schools”. This vision embraces schools where all students are engaged in relevant, rigorous, meaningful activities and where classrooms reflect innovation, creativity, problem-solving, collaboration, communication and critical thinking. In this new vision, daily standardized test preparation and boring fact-memorization skills are replaced with digital learning, curriculum standards relevant to real-world challenges, multiple assessments for student performance, and accountability that’s based on a combination of measures, not just one state mandated test. It is about creating student-centered schools and future-ready students.

ⁱ **Mary Ann Whiteker** may be contacted at mwhiteker@hudsonisd.org.

This 21st Century New Vision embraces 6 principles:

- Seizing technology's potential
- New learning standards for the 21st century
- Appropriate and varied types of assessments
- A comprehensive accountability system that creates and promotes sustained performance
- A transformation of schools from the current bureaucratic form that has been in existence since the 19th century
- Return of authority and responsibility to local communities.

This vision is a declaration for education, one that can transform classrooms into centers that promote students owning their learning rather than learning for a state mandated test!

Sadly, the 2012-2013 state tests are now on steroids! During the 82nd Legislative Session, the state assessment system, TAKS, was retired and STAAR was born for grades 3-8. STAAR is elevated to 15 End-of-Course (EOC) exams for high school students, with 15% of the test score impacting the student's course grade. These new tests are not basic knowledge skills tests. These tests are designed to measure college readiness for all students, failing to acknowledge the unique talents, interests, and abilities of our most precious resources. Ironically, colleges and universities never consider these tests as part of the admissions requirements. Colleges, as well as the business community, continue to report our students are not prepared to enter either pathway. Students are lacking work ethics, technical skills, problem solving, collaboration, inquiry skills, research, etc. Why is the state increasing the focus on this state test when the past reflects the tests were not preparing our students for the future?

Public education is approaching the "tipping point"! Public education has been the great equalizer of our nation and the strength of our economy; however, the present system is no longer meeting the needs of our students or our future. Today's students must be rescued from the over-regulated, antiquated factor model of the present educational system. Our 21st century classrooms must create environments where students are designing the tasks, raising the questions, creating the knowledge. Cross-disciplinary/workforce skills must be valued and integrated within the curriculum to insure 21st century students are prepared for multiple pathways.

It is time for all educators to embrace the power of a social epidemic. We need 21st century schools preparing students for the future. Be a "messenger for change"!

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Framework for Understanding the Legal Structure of Texas Public Schools

Gary Bighamⁱ
West Texas A&M University

“Politics is a fact of life in all organizations, and schools are no exception” (Ramsey, 2006, p. 79). By their very nature, public schools cannot help but have a strong political dimension. Schools operate under a legal structure where policy is adopted by the school board whose membership is elected by the registered voters residing within the school district boundaries. The development of school district policies and associated decisions therein are largely impacted by federal and state laws. Those in power in the executive, legislative, and judicial branches of federal and state governments were either elected to their respective positions by the general voting public or appointed by elected officials. Many of their actions ranging from the drafting and enactment of bills into law to decisions rendered through judicial processes, affect school district policies, either directly or indirectly, and consequently have an impact on the structure and operation of Texas public schools.

Ramsey (2006) said, “Wherever there are leaders and followers, there is politics” (p. 79). Elected and appointed officials at the federal, state, and local levels pass laws and adopt policies shaping the legal structure and thus impacting the behaviors and actions of the roughly 4.8 million students and 660,000 faculty and staff in Texas public schools (TEA, 2010). In accordance with Ramsey’s (2006) observation, the presence of politics is glaringly obvious.

Problem

Texas public school stakeholders consist primarily of students, parents, faculty and staff, administrators, school board members, business leaders, community members, and taxpayers. While each of these stakeholders has a vested interest in the local school district, many fail to understand how public schools came into existence and the legal rationale upon which they operate. The problem lies in the structural complexity of schools, which is prohibitive to a complete understanding by its entire constituency. While the multiple layers of politics and numerous laws and policies that define the Texas public school structure may be necessary for proper operation, the intricacy further exacerbates the ability of many to fully comprehend it. The purpose of this study was to create a framework for understanding the legal structure of Texas public schools to facilitate a more complete understanding by all constituents.

ⁱ Dr. Gary Bigham may be reached at gbigham@wtamu.edu.

Legal Perspective

The framework developed in this study examined the Texas public school structure from a legal perspective. The legal perspective is grounded in the sources of law, which were ultimately used as variables for analysis. Sources of law may be viewed categorically as constitutional, statutory, administrative, and judicial law (Walsh, Kemmerer, & Maniotis, 2005). Moreover, these four sources of law exist at the federal and state levels with the addition of administrative law which is also found at the local level (Hoyle, Bjork, Collier, & Glass, 2005; Walsh, Kemmerer, & Maniotis, 2005).

The first source of law referenced in this study is constitutional law and it exists at both the federal and state levels. Constitutional law is derived from the Constitution of the United States and, in this Texas specific study, the Texas Constitution of 1876. For purposes of hierarchical layering, constitutional law trumps all other sources of law and state constitutional law is subordinate to federal constitutional law.

By definition, “a statute is a law enacted by a legislative body” (Walsh, Kemmerer, & Maniotis, 2005, p. 2), and statutory law is the second source of law in this study. With respect to statutory law, the legislative bodies of interest in this study are the U.S. Congress and the Texas Legislature. Statutory law is the product of the actions of the U.S. Congress and the Texas Legislature in passing bills into law at the federal and state levels respectively.

The third source, administrative law, “consists of the rules, regulations, and decisions that are issued by administrative bodies to implement state and federal statutory laws” (Walsh, Kemmerer, & Maniotis, 2005, p. 3). Those administrative bodies are present at the federal, state, and local levels. Examples of these administrative bodies include, at the federal level, the United States Department of Education; at the state level, the State Board of Education (SBOE), the Texas Education Agency (TEA), and the Texas Commissioner of Education; and at the local level, the Board of Trustees of a school district.

Judicial law serves as the final source of law in this study. Judicial law develops from decisions yielded by state and federal courts. As a result of disputes arising under constitutions, statutes, and administrative laws, the courts have the final say. Decisions handed down from the judicial system sometimes have associated school district policy implications (Walsh, Kemmerer, & Maniotis, 2005).

Review of Literature

With this study purporting to analyze the legal structure of Texas public schools, the appropriate focus of the literature review is on their legal and structural aspects. Given that Texas public schools are governmental agencies directed by elected officials (Vornberg & Harris, 2010) adopting policies in response to state and federal laws enacted

by elected members of the U.S. Congress and Texas Legislature, the political aspects must be intermingled into the discussion. Alexander and Alexander (2009) eloquently said,

Because a public school is a governmental agency, its conduct is circumscribed by precedents of public administrative law supplemented by those legal and historical traditions surrounding an educational organization that is state established, yet locally administered. In this setting, legal and educational structural issues that define the powers to operate, control, and manage the schools must be considered. (pp. 1-2)

The fundamental principles of legal control for the establishment and structure of Texas public schools are prescribed by the constitutional system from which the basic organic law emanates: the U.S. Constitution of 1787 and the Texas Constitution of 1876 (Alexander & Alexander, 2009; Walsh, Kemerer, & Maniotis, 2005). “Constitutions at both levels of government are basic because the positive power to create public educational systems is assumed by state constitutions, and provisions of both the state and federal constitutions serve as restraints to protect the people from the unwarranted denial of basic constitutional rights and freedoms” (Alexander & Alexander, 2009, p. 2).

The power of operation of the public educational system, therefore, originates with a constitutional delegation to the legislature to provide for a system of education. With legislative enactments providing the basis for public school law, it then becomes the role of the courts, through litigation, to interpret the will of the legislature. (Alexander & Alexander, 2009, p. 2)

Thus, the combination of constitutions, statutes, administrative law, and judicial law forms the primary legal foundation upon which the public schools are based (Alexander and Alexander, 2009; Walsh, Kemerer, & Maniotis, 2005).

“In legal theory, public schools exist not only to confer benefits on the individual but also, just as importantly, to advance civil society, for which they are necessary, indeed essential” (Alexander & Alexander, 2009, p. 27). This explains the extensive involvement of all levels of government in developing, implementing, and enforcing laws, policies, rules, and regulations that shape the Texas public school structure. “During the 1760s and 1770s, the idea developed that there should be a free system of education that would provide for a general diffusion of knowledge, cultivate new learning, and nurture the democratic ideals of government” (Alexander & Alexander, 2009, p. 23). Following the long struggle for public schools in the nineteenth century, “it became clear that the states must require rather than permit localities to establish free schools. Local control of education gradually became limited by state constitutions and by actions of state legislatures.” (Alexander & Alexander, 2009, p. 27).

Today, Texas public school districts may be viewed as extensions of state government. Whereas the U.S. Constitution, through the Tenth Amendment, reserves education as a state function, the Texas Constitution authorizes the Legislature to enact a system of public education. As such, the state of Texas has assumed the responsibility for the structure and operation of the public school system to ensure the education of all students in the state (Walsh, Kemerer, & Maniotis, 2005). This results in extensive federal, state, and local political processes impacting the structure of Texas public schools through a legal avenue.

Method

Considering the historical nature of the laws that have shaped the structure of Texas public schools, i.e., the U.S. Constitution of 1787 (U.S. Const.) and the Texas Constitution of 1876 (Tex. Const.), the historic research methodology was employed. “Historical research helps educators understand the present condition of education by shedding light on the past” (Gall, Borg, & Gall, 1996, p. 643). More specifically, quantitative methods of content analysis were used in the data collection process because it is “a research technique for the objective, systematic, and quantitative description of the manifest content of communication” (Berelson, 1952, p. 18).

The primary data for this study were legal documents and administrative agency literature and materials that were directly related to the structure of Texas public schools. These documents included the Constitutions of the United States and Texas; statutory laws related to education as codified in the United States Code and the Texas Education Code; administrative laws as reflected in such documents as Attorney General opinions, rules and regulations of the United States Department of Education as outlined in documents such as the Elementary and Secondary Education Act and No Child Left Behind policies, Texas education rules as compiled in the Texas Administrative Code, and school district policies as assembled in the Texas Association of School Boards (TASB) Policy On-Line structure. While the document review was not exhaustive, in terms of compiling all laws related to the Texas public school structure, it served as an overall comprehensive review of the major levels of legal authority as categorized by the four major sources of law.

The data organizational scheme was both categorical and hierarchical. The categorical organization separated the findings into the four sources of law—constitutional, statutory, administrative, and judicial. The hierarchical organization distributed the four categories of legal findings into the federal, state, and local levels of authority. The desired outcome was a display of data in columns by sources of law and in rows by levels of authority. This resulted in a table to serve as a framework for understanding the structure of Texas public schools from a legal perspective.

Results

Through detailed narrative description, the findings revealed the federal, state, and local levels of the Texas public school structure as categorized by the four identified sources of law. The narrative descriptions ultimately led to the development of a table for a concise presentation of the findings in an easily understandable format.

Constitutional Law

Constitutional law, as it relates to the structure of Texas public schools, originates from two sources, those being the U.S. Constitution and the Texas Constitution. Both Constitutions are documents of delegated powers which are responsible for laying the legal foundation upon which the structure of Texas public schools was built.

U.S. Constitution. The U.S. Constitution is organized into seven Articles and twenty-seven Amendments. Although education is not specifically mentioned anywhere in the U.S. Constitution, the authority for public schools across the nation is rooted in the plenary power granted in the Tenth Amendment. The Tenth Amendment states, “the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people” (U.S. Const. amend.10). The education literature is replete with references verifying that the Tenth Amendment is the foundational legal basis for the nation’s current structure of education (Alexander & Alexander, 2009; Barron Ausbrooks, 2010a; Brimley & Garfield, 2008; Walsh, Kemerer, & Maniotis, 2005).

Texas Constitution. The Tenth Amendment of the U.S. Constitution granted the power over schools to the state governments (Walsh, Kemerer, & Maniotis, 2005). “Acting under the interpretation of the Tenth Amendment, all of the states through their constitutions have taken on education as a state function” (Barron Ausbrooks, 2008, p. 5). The Texas Constitution is organized into seventeen Articles with Article 7 pertaining directly to education. Article 7 of the Texas Constitution is further divided into twenty sections (Tex. Const., art. 7). The legal basis for the current structure of Texas public schools may be found in Article VII, § 1 of the Texas Constitution of 1876, which reads,

A general diffusion of knowledge being essential to the preservation of the liberties and rights of the people, it shall be the duty of the Legislature of the State to establish and make suitable provisions for the support and maintenance of an efficient system of public free schools. (Tex. Const., art. 7, § 1)

Thus, the U.S. Constitution, through the Tenth Amendment, reserves education as a state function and in turn, the Texas Constitution authorized the state Legislature to enact a system of public education.

Statutory Law

“The public schools of the United States are governed by statutes enacted by state legislatures. The schools have no inherent powers, and the authority to operate them must be found in either the express or implied terms of statutes” (Alexander & Alexander, 2009, p. 3). Statutory law, otherwise known as legislative law (Barron Ausbrooks, 2010a), as it applies to the structure of Texas public schools, may be found at both the federal and state levels.

Statutes, in our American form of government, are the most viable and effective means of making new law or changing old law. Statutes enacted at the state or federal level may either follow custom or forge ahead and establish new laws that shape the future. (Alexander & Alexander, 2009, p. 2)

Federal statute. Federal statutory laws are enacted by the U.S. Congress. The Congressional Record contains the full text of federal statutes, which are codified and published in the United States Code (Barron Ausbrooks, 2010b). “The Congressional Record is the official record of the proceedings and debates of the United States Congress and is published daily when Congress is in session” (GPO Access, 2010a).

The United States Code is the codification by subject matter of the general and permanent laws of the United States based on what is printed in the Statutes at Large. The United States Code (USC) is divided by broad subjects into 50 titles and published by the Office of the Law Revision Counsel of the U.S. House of Representatives. (GPO Access, 2010c)

Title 20 of the USC contains all of the education-related federal statutes. As of February 1, 2010, Title 20 contained 78 chapters beginning with § 1 and ending with § 9882 (Cornell University Law School, 2010).

State statute. “The Texas Legislature, acting pursuant to the Tenth Amendment to the U.S. Constitution and Article VII of the Texas Constitution, is responsible for the structure and operation of the Texas public system” (Walsh, Kemerer, & Maniotis, 2005, p. 13). In fact, Walsh, Kemerer, & Maniotis (2005) went so far as to say that the Legislature is the “biggest player in Texas education” (p. 13).

Most of the state statutory laws directly relating to education, passed by the Texas Legislature, are codified in the Texas Education Code (TEC). Walsh, Kemerer, & Maniotis (2005) said, “The Code is an important source of law because it applies to the daily operation of schools, detailing the responsibilities and duties of the State Board of Education (SBOE), the Texas Education Agency (TEA), and school boards, charter schools, and school personnel” (p. 4).

The Texas Education Code is comprised of six titles and nine subtitles. Title 1 contains the general provisions of the code that apply to all educational institutions receiving state tax funds. Public education is addressed in Title 2, followed by higher education in Title 3. The focus of Title 4 is on educational compacts. Title 5 is reserved for “other education,” which, as of the date of this study, pertained to driver and traffic safety education. Lastly, Title 6 centers on benefits consortiums for certain private educational institutions (TEC §§ 1.001 – 2000.004).

Specific to the state-level statutory legal structure under which Texas public schools operate is Title 2 of the Texas Education Code, titled “Public Education.” Title 2 is divided into subtitles A through I that contain §§ 4 - 46. The major topics of the subtitles are (a) General Provisions, (b) State and Regional Organization and Governance, (c) Local Organization and Governance, (d) Educators and School District Employees and Volunteers, (e) Students and Parents, (f) Curriculum, Programs, and Services, (g) Safe Schools, (h) Public School System Accountability, and (i) School Finance and Fiscal Management.

Administrative Law

Administrative law, sometimes coined executive law (Barron Ausbrooks, 2010a), consists of the rules, regulations, procedures, guidelines, and decisions, developed and issued by government agencies and associated administrative bodies to implement federal and state statutory laws as well as the rules and regulations that federal, state, and local agencies establish to carry out their responsibilities. The regulations designed by the implementing agencies applying laws to the realities of day-to-day schooling are typically quite detailed to the point that their length often exceeds that of the statute itself (Walsh, Kemerer, & Maniotis, 2005). Administrative law is present at the federal, state, and local levels.

Administrative law in the Texas education structure assumes both quasi-legislative and quasi-judicial roles. The Texas Commissioner of Education and the State Board of Education enact state-level rules that are codified in the Texas Administrative Code, thus operating in a quasi-legislative capacity. Similarly, boards of education for local school districts adopt policies, as authorized in state statute, representing the law of the school district. To exhaust all remedies before going to court, local school districts have policies and procedures in place for administrators and the school board to hear grievances from complainants. Likewise, procedures are in place for appeals to be heard by the Commissioner of Education. These local- and state-level hearing processes serve as examples of the quasi-judicial character assumed by administrative law (Walsh, Kemerer, & Maniotis, 2005).

Federal administrative law. Education-related federal administrative law may be found in the form of presidential proclamations and executive orders, U.S. Attorney General opinions, and federal-level regulatory agency policies, rules, and regulations. While the actions of various federal agencies may impact education, the largest player in this arena is logically the U.S. Department of Education. Short descriptions of these three major administrative law making bodies follow.

At the upper-most level of the executive branch of the federal government, the President of the United States is granted the authority and responsibility for developing rules, regulations, guidelines, procedures, etc., for implementing federally sponsored and financed programs. Furthermore, the President is authorized to issue proclamations and executive orders to gain compliance with the U.S. Constitution and federal laws. Presidential proclamations and executive orders are documented in the Federal Register (Barron Ausbrooks, 2010a) and accessible at the Presidential Actions Briefing Room online at <http://www.whitehouse.gov/briefing-room/presidential-actions>.

Pursuant to the Judiciary Act of 1789, the U.S. Attorney General renders opinions on questions of law at the request of the President and the heads of Executive Branch departments (USDOJ, 2010). Moreover, the U.S. Attorney General functions as a legal adviser to the President and delegates to the Office of Legal Counsel the responsibility of reviewing all executive orders and proclamations issued by the President (USDOJ, 2010). While presidential proclamations and executive orders and U.S. Attorney General opinions may not usually directly address education, the potential is always present, thus warranting attention as presented in this section of the study.

“The U.S. Department of Education is a cabinet-level agency of the federal government that establishes policy for, administers, and coordinates many of the educational programs created and funded by Congress” (Barron Ausbrooks, 2010a, p. 9). The U.S. Department of Education

assists the President in executing national policies and implementing laws enacted by Congress. The officials of the Department of Education also have the authority and responsibility, as do the officials of other cabinets and agencies of the federal government, for drafting regulations, guidelines, and procedures to implement federal laws that create and fund federal programs. Once drafted, the regulations are submitted to the appropriate congressional committees for approval and are then published in the Federal Register. They are eventually inserted into the Federal Administrative Code and carry the weight of administrative law. (Ausbrooks, 2010b, p. 102)

The U.S. Department of Education is led by the Education Secretary who is advised by multiple offices hierarchically placed beneath the Office of the Secretary. The

organizational structure of the U.S. Department of Education displayed at <http://www2.ed.gov/about/offices/or/index.html>. Codified U.S. Department of Education policies, rules, and guidelines are located in the Code of Federal Regulations (GPO Access, 2010b) and are posted the Department of Education website at <http://www2.ed.gov/policy/landing.html>.

State administrative law. Education-related state administrative law may be found in the form of governor’s proclamations and executive orders, Texas Attorney General opinions, and state-level regulatory agency policies, rules, and regulations. Major state-level boards, agencies, and individuals include the State Board of Education, the Texas Education Agency, and the Texas Commissioner of Education. Descriptions of these major administrative law making bodies follow.

In a similar fashion to the powers of the President at the federal level, the Texas governor is authorized to issue proclamations and executive orders (Barron Ausbrooks, 2010a), some of which can and do directly affect education. These proclamations and executive orders are recorded in the Texas Register (Tex. Reg., 2010) and are accessible for viewing on the Texas Governor’s website at <http://governor.state.tx.us/news/>.

The Texas Attorney General renders legal opinions that sometimes impact education in the state, and is another source of state-level administrative law.

State agencies or their officials can request an attorney general’s advisory opinion whenever they are confronted with novel or unusually difficult legal questions. Although the attorney general’s opinions are not legally binding either on the governmental officials, agencies requesting them, or on the courts, they carry a great deal of influence, especially in those situations in which there is no authoritative interpretation or decision by the courts. (Barron Ausbrooks, 2010a, p. 11)

As extensions of the state, school districts “may request the assistance of the attorney general on any legal matter” (TEC § 11.151(e)). In requesting such opinions, requesters do so knowing that “an Attorney General Opinion is a written interpretation of existing law” (Attorney General, 2010). Moreover,

Attorney General Opinions clarify the meaning of existing laws. They do not address matters of fact, and they are neither legislative nor judicial in nature. That is to say, they cannot create new provisions in the law or correct unintended, undesirable effects of the law. Opinions interpret legal issues that are ambiguous, obscure, or otherwise unclear. Attorney General Opinions do not reflect the AG’s opinion in the ordinary sense of expressing his personal views. Nor does he in any way “rule” on what the law should say.

Unless or until an opinion is modified or overruled by statute, judicial decision, or subsequent Attorney General Opinion, an Attorney General Opinion is presumed to correctly state the law. Accordingly, courts have stated that Attorney General Opinions are highly persuasive and are entitled to great weight. Ultimate determination of a law's applicability, meaning or constitutionality is left to the courts. (Attorney General, 2010)

Texas Attorney General Opinions are recorded in the Texas Register (Tex. Reg., 2010) and are accessible for viewing on the Texas Attorney General's website at <https://www.oag.state.tx.us/opin/>.

The State Board of Education (SBOE) is an elected body of fifteen members (TEC § 7.101(a)) who perform school district- or regional education service center-related duties as assigned by the Texas Constitution or the Legislature (TEC § 7.102(a)). Prior to 1995, the SBOE was the policy-making body of the TEA, however, the Texas Legislature separated them from the TEA at that time and reduced their role in the state's public education system (Walsh, Kemerer, & Maniotis, 2005). Nonetheless, the SBOE remains a powerful entity in the state's education structure engaging in administrative law processes. Statutorily, the SBOE is assigned a list of thirty-four specific powers and duties to be carried out with the advice and assistance of the Texas Commissioner of Education (TEC § 7.102(b-c)). Actions of the SBOE are recorded in the Texas Register and rules and adoptions are codified in the Texas Administrative Code.

The Texas Education Agency (TEA) is comprised of the Commissioner of Education and agency staff (TEC § 7.002(a)).

This hierarchical administrative governmental structure is authorized to implement, administer, and regulate the state-mandated educational function in the local school districts of the state. An important part of its responsibility is to make rules and regulations governing education in the state, which are compiled in the official state publication, Title 19 Education, Texas Administrative Code. (Barron Ausbrooks, 2010a, p. 23)

Statutorily, the TEA is assigned a list of fourteen specific educational functions (TEC § 7.021(b)). Additionally, the TEA is authorized to enter into agreements with federal agencies regarding such activities as school lunches and school construction (TEC § 7.021(c)), and the TEA administers the capital investment fund (TEC § 7.024). Adopted rules of the TEA are codified in the Texas Administrative Code.

The Texas Commissioner of Education is appointed, and may be removed, by the governor with the advice and consent of the Texas Senate (TEC §§ 7.051, 7.053). The commissioner, whose only statutory qualification for office is to be a U.S. citizen (TEC §

7.054), serves a four year term commensurate with the governor (TEC § 7.052) as the educational leader of the state (TEC § 7.055(b)(1)). Additionally, the commissioner serves as executive officer of the agency and executive secretary of the SBOE (TEC § 7.055(b)(2)). Touted as the most powerful state-level player other than the Texas Legislature (Walsh, Kemerer, & Maniotis, 2005), the commissioner has forty-one powers and duties assigned in state statute (TEC § 7.055). Other sections of the code assign additional duties with regard to accountability and low-performing schools (TEC §§ 39.151-39.152).

When authorized to develop and implement rules, which is a quasi-legislative function of administrative law, the Commissioner of Education engages in such activity and those rules governing Texas education are recorded in the Texas Register and codified in the Texas Administrative Code. As a quasi-judicial act, the Commissioner of Education renders decisions to appeals in accordance with provisions outlined in TEC §7.057 that become administrative law. These decisions are catalogued and searchable by docket number, petitioner, and respondent or hearing officer on the TEA website at <http://ritter.tea.state.tx.us/commissioner/>.

Local administrative law. The governmental unit at the local school district level is the elected board of trustees. School districts function as legal extensions of the state, thus making them quasi-municipal corporations, and “their boards of trustees are considered state officials with specific administrative duties, responsibilities, and functions mandated by law” (Barron Ausbrooks, 2010a, p. 23). While many of the policies adopted by local school boards may be in direct response to actions of the legislature, judicial law decisions, etc., the desire of the Texas Legislature was for the school board to maintain a level of power, as is revealed in the language used in TEC §7.003, which states, “An educational function not specifically delegated to the agency or the board [SBOE] under this code is reserved to and shall be performed by school districts or open enrollment charter schools.”

Although school board members have no power as individuals, as a body corporate, convened in a legally called meeting, their power, under the auspices of administrative law, is quite evident. TEC §11.151(b) states:

The trustees as a body corporate have the exclusive power and duty to govern and oversee the management of the public schools of the district. All powers and duties not specifically delegated by statute to the agency or to the State Board of Education are reserved for the trustees, and the agency may not substitute its judgment for the lawful exercise of those powers and duties by the trustees.

In general, in the name of the school district, the board of trustees, as a body corporate, may “acquire and hold real and personal property, sue and be sued, and receive bequests

and donations or other moneys or funds coming legally into their hands” TEC §11.151(a). Specific powers and duties of boards of trustees of independent school districts are listed in TEC §11.151(b) by way of a list of fifteen items of what the board shall do, and in TEC §11.151(c) by way of a list of four items of what the board may do.

Regarding the administrative law function of school boards, Walsh, Kemerer, and Maniotis (2005) said, “The policy manuals and handbooks developed by local school districts are excellent close-to-home examples of administrative law” (p. 4). Furthermore, TEC §11.151(d) states, “The trustees may adopt rules and bylaws necessary to carry out the [their] powers and duties”—an obvious administrative law capacity.

The school district administrators are responsible for implementing the policies adopted by the board of trustees. Ausbrooks (2010a) said, “the district superintendent and campus principals function as extensions of the local school board through the general duties and authority granted to them through TEC §11.201 and §11.202” (p. 23).

“The superintendent is the educational leader and the chief executive officer of the school district” (TEC §11.201(a)) with a list of fifteen statutorily assigned duties outlined in TEC §11.201(d). “The school principal is the frontline administrator, with statutory responsibility under the direction of the superintendent for administering the day-to-day activities of the school” (Walsh, Kemerer, & Maniotis, 2005, p. 27). TEC §11.202(a) identifies the principal as the instructional leader of the school, and TEC §11.202(b) lists seven statutory duties of the principal. School administrators implement policies adopted by the school board through rules, regulations, and directives. These methods of policy implementation represent the law of the district, thus serving in the capacity of administrative law (Walsh, Kemerer, & Maniotis, 2005).

Lastly, each Texas school district and campus is required to have district- and campus-level planning and decision-making committees (TEC §11.251(b)), commonly referred to as site-based decision making committees. These committees are involved in the development of the district- and campus-level improvement plans (TEC §§ 11.252(a); 11.253(c)). The campus-level committees are statutorily directed to be involved in the areas of planning, budgeting, curriculum, staffing patterns, staff development, and school organization (TEC § 11.253(e)). While their role is mostly advisory in nature, the campus-level decision making committee has statutory approval power over the staff development portion of the improvement plan (TEC § 11.253(e)), thus qualifying them for involvement in this legal structure discussion.

Judicial Law

“When disputes arise under constitutions, statutes, and administrative law, some authority must have final say. The courts serve this function” (Walsh, Kemerer, & Maniotis, 2005, p. 6). The judicial court systems are present at both the federal and state levels. In most

instances, until all administrative remedies have been exhausted, the courts refuse to become involved (Walsh, Kemerer, & Maniotis, 2005). When such involvement is inevitable,

The courts have traditionally maintained and enforced the concept of “separation of powers” when confronted with cases involving education. They do not usually question the judgment of either the administrative agencies of the executive branch or the legislative branch. (Alexander & Alexander, 2009, p. 3)

“The courts presume that legislative or administrative actions were enacted conscientiously with due deliberation and are not arbitrary or capricious” (Alexander & Alexander, 2009, p. 4).

In the big picture, both judiciary systems begin at a district court level and offer avenues for an initial appeal at an appellate court level and a final appeal at a supreme court level. The final level of appeal is at the U.S. Supreme Court whose final ruling serves as the law of the land.

Federal judicial law. Disputes involving federal provisions of the U.S. Constitution, federal statutes, or federal treaties may be tried in the federal judicial court system. For questions on federal law, once all administrative remedies have been exhausted, the dispute may enter the federal judicial system at the U.S. District Court level.

The United States district courts are the trial courts of the federal court system. Within limits set by Congress and the Constitution, the district courts have jurisdiction to hear nearly all categories of federal cases, including both civil and criminal matters. (U.S. Courts, 2010a)

“There are 94 federal judicial districts, including at least one district in each state, the District of Columbia and Puerto Rico” (U.S. Courts., 2010a).

Four of those 94 U.S. District Courts are located in Texas. Texas was divided into four regions—Northern, Southern, Eastern, and Western—to prescribe their respective geographic jurisdiction areas across the state. Decisions of U.S. District Courts are appealable to the U.S. Circuit Court of Appeals within its geographical region. Geographically across the United States of America,

The 94 U.S. judicial districts are organized into 12 regional circuits, each of which has a United States court of appeals. A court of appeals hears appeals from the district courts located within its circuit, as well as appeals from decisions of federal administrative agencies. (U.S. Courts, 2010b)

Cases appealed from one of the four U.S. District Courts in Texas go to the Fifth Circuit Court of Appeals which has jurisdiction in Texas, Louisiana, and Mississippi. The Fifth Circuit Court has seventeen authorized judgeships and is physically located in New Orleans, LA (Structure of the U.S. Government, 2010).

While decisions of a U.S. Court of Appeals are appealable to the United States Supreme Court, such appeals are rarely granted (Barron Ausbrooks, 2010), as “the U.S. Supreme Court has the authority to decide which cases it wishes to hear” (Walsh, Kemerer, & Maniotis, 2005, p. 8).

The United States Supreme Court consists of the Chief Justice of the United States and eight associate justices. At its discretion, and within certain guidelines established by Congress, the Supreme Court each year hears a limited number of the cases it is asked to decide. Those cases may begin in the federal or state courts, and they usually involve important questions about the Constitution or federal law. (U.S. Courts, 2010c)

Nonetheless, “education in the United States has, of course, been materially shaped by many Supreme Court decisions that emanate from individual rights recognized in the Constitution” (Alexander & Alexander, 2009, p. 103).

The typical path by which a Texas-based federal case would reach the U.S. Supreme Court would be by beginning in one of the four Texas-located U.S. District Courts, being appealed to the 5th Circuit Court of Appeals, and being appealed to and accepted by the U.S. Supreme Court. In some instances, cases with federal questions heard in the Texas Supreme Court may be appealed to the U.S. Supreme Court.

State judicial law. The Texas judiciary consists of multiple layers that permit entry at one of three levels depending on the nature and origination of the dispute. The first level of the Texas judiciary involves justice and municipal courts, the second level involves the county court, and the third level represents the state district court. While smaller-level disputes involving matters of education may originate at a justice, municipal, or county court, “district courts are the major trial courts in the state judicial system, having jurisdiction over major criminal and civil matters” (Walsh, Kemerer, & Maniotis, 2005, pp. 7-8). Moreover, Walsh, Kemerer, and Maniotis (2005) claimed that

Regardless of whether litigation is filed initially in a state district court or as an appeal from a decision of the commissioner, the state court system plays an important role in the resolution of educational disputes. Therefore, it is important to review the composition of the Texas judiciary. (p. 7)

Since the State District Court is a logical starting point for litigation in most educational disputes beyond levels of administrative law, the ensuing discussion of movement through the state court system will begin at the district court level.

The district courts are the trial courts of general jurisdiction of Texas. The geographical area served by each court is established by the Legislature, but each county must be served by at least one district court. In sparsely populated areas of the State, several counties may be served by a single district court, while an urban county may be served by many district courts. District courts have original jurisdiction in all felony criminal cases, divorce cases, cases involving title to land, election contest cases, civil matters in which the *amount in controversy* (the amount of money or damages involved) is \$200 or more, and any matters in which jurisdiction is not placed in another trial court. While most district courts try both criminal and civil cases, in the more densely populated counties the courts may specialize in civil, criminal, juvenile, or family law matters. (Office of Court Administration, 2009)

While the number of state district courts in Texas is too numerous to list, a map of their locations is available at <http://www.courts.state.tx.us/courts/pdf/sdc2009.pdf>.

Decisions rendered by the district courts are appealable to one of the state's fourteen Courts of Appeal. The locations of the appeals courts by district are 1. Houston, 2. Fort Worth, 3. Austin, 4. San Antonio, 5. Dallas, 6. Texarkana, 7. Amarillo, 8. El Paso, 9. Beaumont, 10. Waco, 11. Eastland, 12. Tyler, 13. Corpus Christi and Edinburg, and 14. Houston. These fourteen appeals courts are manned with eighty justices.

In essence, Texas has two supreme courts—one for civil matters and the other for criminal matters (Walsh, Kemerer, & Maniotis, 2005). At the top of the Texas judiciary hierarchy, the Texas Supreme Court, comprised of nine justices, serves as the final appellate jurisdiction for all state-level civil and juvenile cases. The final state-level appellate jurisdiction for all criminal cases is the Texas Court of Criminal Appeals, which is comprised of nine judges (Texas Courts Online, 2011).

The goal at the outset of this study was to capture all of the information that has been presented in this findings section and compile it into a one-page summary. In pulling key information reported in the narrative and diagrammatical data reported in this section of this study, a celled table was created to capture the entire legal structure of Texas public education onto a single page. The data reflected in the rows and columns of Table 1 refer to the structure upon which Texas public schools were developed and currently operate. The data in each cell of Table 1 reveal the type of law and its documented location. For example, rules developed by the Texas Education Agency in response to statutes enacted by the Texas Legislature are compiled in the Texas Administrative Code. The Texas

Education Agency (TEA) rules are appropriately categorized as administrative law and hierarchically are a state-level function. Thus, the information provided in the cell reveals that TEA rules are documented in the Texas Administrative Code and that cell is located at the intersection of the administrative law column and the state-level of authority row. Each cell in Table 1 provides pertinent information specific to the intersection of its level of authority and source of law.

Discussion

The framework developed in this study has educational implications applicable to a wide range of Texas public school stakeholders. The stakeholders of particular interest to whom the framework should prove valuable include school board members, faculty and staff, parents, taxpayers, and the business community. Of those stakeholders, probably the group who most needs to understand the findings presented in this study is the board of trustees. As the body corporate elected to oversee the management of the school district, an understanding of the legal framework under which the school structure is defined becomes essential. The framework developed in this study could serve as a model for board training as school board members seek to meet state-mandated professional development requirements. With the exception of administrators, most faculty and staff have little or no training in school governance, and thus may have a void in their knowledge base about the structure of Texas public schools. In a manner similar to that mentioned for school board members, the framework could serve as a basis for professional development of the faculty and staff employed in Texas public schools. When parents sometimes question the decisions made by the school, administrators could use the model as a tool in explaining why certain rules and procedures are in place in relation to laws and policies. In a similar sense, when taxpayers question the reasons for expenditures, the framework could prove useful in showing how certain legal requirements necessitate particular expenditures. With regard to the business community, sometimes something as simple as making a donation to the school can be difficult due to laws and policies that were developed to protect the school and its employees. Again, the framework could serve as a tool in assisting the business community to understand the purpose of certain policies and the legal path by which they came into existence. Other audiences that could benefit from the framework might include politicians at federal, state, and local levels, and students of school law would certainly benefit as well. The much needed framework developed in this study concisely organizes the legal structure of Texas public schools and should prove to be useful in a variety of settings.

Table 1. Framework for Understanding the Legal Structure of Texas Public Schools.

Framework for Understanding the Legal Structure of Texas Public Schools

Developed by Dr. Gary Bigham

Levels of Authority	Sources of Law			
	Constitutional Law	Statutory Law	Administrative Law	Judicial Law
Federal	<ul style="list-style-type: none"> Authority for public education reserved to the states as determined by the framers of the U.S. Constitution and specified in the Tenth Amendment. 	<ul style="list-style-type: none"> Education-related federal statutes enacted by U.S. Congress are recorded in the Congressional Record and codified in the United States Code. 	<ul style="list-style-type: none"> Proclamations & executive orders issued by the President are recorded in the Federal Register. U.S. Attorney General Opinions rendered by the Office of Legal Counsel are recorded in the Federal Register and published in West Law and LEXIS. United States Dept. of Education policies, rules, and regulations are recorded in the Federal Register and codified in the Code of Federal Regulations. 	<ul style="list-style-type: none"> Sources of federal court decisions specific to Texas include: <ul style="list-style-type: none"> U.S. District Court <ul style="list-style-type: none"> *Northern, Southern, Eastern, Western districts (in Texas) U.S. Court of Appeals <ul style="list-style-type: none"> *5th Circuit, New Orleans, LA U.S. Supreme Court
State	<ul style="list-style-type: none"> Authorization for the Legislature to enact a system of public education as established by the framers of the Texas Constitution and specified in Article 7 § 1. 	<ul style="list-style-type: none"> Education-related state statutes enacted by the Texas Legislature are recorded in the Texas Register and codified in the Texas Education Code. 	<ul style="list-style-type: none"> Proclamations & executive orders issued by the Governor are recorded in the Texas Register. Texas Attorney General Opinions are recorded in the Texas Register. State Board of Education Rules are recorded in the Texas Register and codified in the Texas Administrative Code. Texas Education Agency Rules and Regulations are recorded in the Texas Register and codified in the Texas Administrative Code. Commissioner’s Rules are recorded in the Texas Register and codified in the Texas Administrative Code. Commissioner’s Hearing Decisions are recorded and accessible from the TEA website at http://ritter.tea.state.tx.us/commissioner/. 	<ul style="list-style-type: none"> Sources of state court decisions specific to Texas include: <ul style="list-style-type: none"> Justice & Municipal Courts County Courts State District Courts State Intermediate Appellate Courts (14 districts) Supreme Court (civil) and Court of Criminal Appeals (criminal)
Local			<ul style="list-style-type: none"> School Board Policies adopted by the Board of Trustees are recorded in the school board minutes and codified in Local School Board Policy. Local School Administrative rules, regulations, and directives are developed and implemented by, or under the direction and supervision of the school administration. Site Base Management approval of staff development needs on the improvement plan are documented in the SBM minutes. 	

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What Students Tell Us About School If We Ask

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“Why don’t they listen to us, Miss? Why do they keep saying they’re gonna listen, but it’s all just talk. They never listen, they just talk, talk, talk. Like they know what’s best for us. I wish they would listen to us, you know, really listen to what we have to say. We’re really smart, but they act like we don’t know nuthin’. We have to do worksheets. They are so stupid, but because we’re the low level English class, the teachers make us do them because there for a daily grade. Miss, they don’t even look like us. They don’t live in our neighborhoods. They’re just “bussed” in to teach us. The teachers come to school and then they go home to their nice houses, husbands and kids. Like I said, they don’t know us and where we come from. Man, there’s nothing for me here. I’m just bidin’ my time to bust out of here.” (Sam, participant. All names are pseudonyms.)

High school has most often become something that is done to students and not for the good of the students (Cushman, 2003). Students are disenfranchised, disengaged, and dropping out at an alarming rate. Many school administrators have opted for the “latest in school reform” in order to keep students in school. However, many students feel that the “new” school reform program is just a repeat of other school reform programs of the past.

They ask us questions, you know, like stuff about what we want changed in our school and stuff like that. The principal says after he gets all the answers, he will tell us what we said. But they never tell us, Miss. Then a couple of years later it’s the same old thing again. Another survey, oh yeah, this time it will be different he says. But it never is different. And we never get see our answers to the survey.” (Josephina, participant.)

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Students want to be a part of their own educational process; they want to have a voice in what they learn and how they go about learning.

Student voices are still not being heard. Teachers are still teaching to “the test” (Popham, 2001). All decisions about learning are either coming from an administrator or a teacher. Sam wants to know why he does the same old thing every day in class. We come in, sit down, open our journals and write to a prompt, read a selection in our textbook, (by the way, it’s old and 15 years old), answer questions at the end of a unit, and turn our paper in for a grade. Day in and day out, Miss. It’s so boring” (written journal entry). Students like Sam and Josephina want to learn, but they would like to have a voice in what they learn and how they will learn.

Fires in the Bathroom, a book by Katherine Cushman and a seminal text for the development of this study, evolved from the notion that many students in high school have set a fire in the bathroom at one time or another. Perhaps it is because of boredom, apathy of both teachers and students, or frustration between teacher and student when ideas are not articulated clearly (Cushman, 2003). Researchers have typified students in American high schools as uninterested, staring out of classroom windows, counting the seconds for the bell to sound, and pervasively detached and disconnected from learning (Glasser, 1992; Goodlad, 1984; Rogers & Freiberg, 1994; Sedlak, Wheeler, Pullin & Cusick, 1986; Steinberg, Brown, & Dornbusch, 1996). Half of all secondary students say their courses are boring, and up to a third endures the school day by “goofing off with their friends” (Steinberg et al., 1996). School is not exciting; school is now just a place to pass the time with friends or to catch up on sleep from the night before. Students who feel as if school does not offer them anything, may develop resentment towards school and may eventually drop out if they feel no psychological or emotional ties to school to participate in any involvement (Smyth, 2006). As Cushman states (2003), “In pursuit of order, school and classroom rules routinely supplant the disarray of kids’ questions, objections, suggestions, and problems. High school becomes something done to kids, not by kids” (ix).

While most students are excited to go to school in the elementary grades, many are no longer interested in school by the time they enter high school. School for many students has become a place where they go through the motions of learning (Brophy, 1997; Cushman, 2003; Lumsden, 1994). Brophy (1997) and Cook-Sather (2010) observed that, among other things, lack of choice in the curriculum, contribute to a less than desirable climate from the student perspective:

As generally conceptualized within educational settings, student responsibility is constructed as students doing what adults tell them to do and absorbing what adults have to offer. Student accountability here means compliance and acceptance: adherence to what is prescribed, asked, or offered by the adults in charge (Cook-Sather, 2010, p. 555.).

Testing accountability can consume both teachers' and students' time; there is no "real time" for inquiry-based learning or any type of learning that creates excitement (Casey, 2004; Ravitch, 2010). The Elementary and Secondary Act of 2001, also known as the "No Child Left Behind" Act (NCLB) mandate, along with the state assessment examination have resulted in many teachers only teaching "to the test" (Popham, 2001). In addition, many students who do not feel connected to school, either by a teacher, sport, or extracurricular activity, may drop out of school (Brophy, 1997; Smyth, 2006). The dropout rate may affect the morale of the whole community. Teachers and administrators may lose their livelihood because scores are not deemed acceptable (Zuniga, 2004).

Countless schools across the nation suffer from a constant divide, one pitting teachers and students against each other. Students complain that teachers do not "know them" (Votteler, 2007; MetLife, 2001) while teachers report "inadequate preparation to reach students with backgrounds different from their own" (MetLife, 2001, p. 92). Many new teachers are "isolated behind classroom doors with little feedback or help... while others [survive but] learn merely to cope rather than to teach well" (Portner, 1998, p.4). While many districts have put in place procedures to combat these feelings of isolation, it is still a reality for teachers (McCluskey, Sim, & Johnson, 2011).

So what does this mean for school administrators? Whether professional educators call it restructuring or reforming, they are developing action plans to do better. Purkey and Novak (1996) claim most schools are involved in a school improvement process. The procedure is supposed to connect the efforts of the teaching staff, parent, and student committees which, over a two year period of time, evaluate present school curriculum and practices and develop plans for the future that are focused on student achievement. However, most of the work is completed by teachers and administrators with some contributions from parents and very little or no input from students (Cook-Sather, 2002, 2010; Goldhardt, 2004; Sands, Guzman, Stephens & Boggs, 2007; Zion, 2009). Cook-Sather hypothesizes:

Since the advent of formal education in the United States, both the educational system and that system's every reform have been premised on adults' notions of how education should be conceptualized and practiced. As long as we exclude student perspectives from our conversations about schooling and how it needs to change, our efforts at reform will be based on an incomplete picture of life in classrooms and schools and how that life could be improved. (Cook-Sather, 2002, p. 3)

This article examines what school climate factors students perceive as helping them be successful in school, and what school administrators can do to aid the process. Specifically, the questions that drove this inquiry were

- How does sociocultural theory impact student voice and student engagement in the classroom?
- How does caring pedagogy impact student voice and student engagement in the classroom?
- What school climate factors do students perceive as helping them to be successful in school?

Review of Literature in Sociocultural Theory.

The present idea of sociocultural theory draws primarily on the work of Vygotsky (1986). Learning is thought to occur not in isolation but develops out of social interactions. From a sociocultural viewpoint, dialogue plays a fundamental role in teaching and learning. The very nature of talk provides for social interaction, which, in turn, furthers and promotes learning

Vygotsky. For Vygotsky (1978), the process of the individual development within a network of social connections or associations as mediated through language, activity and human interaction is the way through which artifacts of culture are communicated to other persons growing up in that social environment. Given that the formation of consciousness, or perception, takes place situated within a specific social, historical and cultural context, Vygotsky insists that "learning presupposes a specific social nature and process by which children grow into the intellectual life of those around them" (p. 88). Vygotsky (1979d) refers this to process of movement of the social, historical and cultural artifacts and collections of meanings from the "outside" to the "inside" of a person as "internalization." This is not an imitation of social realities, but rather necessitates the transformation of the peripheral realities as they are "enfolded" (1979d) into the consciousness of the person.

Vygotsky believes that the general sequence of the child's cultural development consists of the following: at first, other people act on the child. Then he/she emerges or enters into interaction with those around him/her. Finally, he/she begins to act on others and only at the end begins to act on himself/herself. (p. 220)

Vygotsky also states the relationship between thought and language is neither causal nor direct. Language and thought are relative to one another with areas of gray or gaps between them. "Just as one sentence may express different thoughts, one thought may be expressed in different sentences" (Vygotsky, 1986, p. 250). The conduit from thought to language journeys through the landscape of meaning. Vygotsky states that the "structure of speech does not simply mirror the structure of thought; that is why words cannot be put on by thought like a ready-made garment. Thought undergoes many changes as it turns into speech" (p. 219) and "thought is born through words" (p. 255).

Gee. The declaration of language as a shared activity is further manifested in the work of sociolinguist James Gee (1996) and is fundamental to the exploration of student identity formation. For Gee, language encompasses more than words we say; for language shapes and forms what Gee defines as Discourses. Briefly defined, Discourses are more than language and include our actions, words, attitudes, values, beliefs, social identities, gestures, and clothes (Gee, 1996). Discourses, then, give us a way to define a person's identity (Gee, 2001). Discourses positions or situates identities within a specific view, belief, and value evidenced by an individual's actions and words. Identities are mirrored or reflected in the Discourses in which we contribute and participate.

Gee's theory of discourse perceives thought and identity as naturally interconnected, inseparable, closely linked and connected to language. Individuals belong to multiple Discourse communities in which they reveal and disclose different identities, what Gee called "socially-situated identities" (Gee, 1996). The assumption is that a person has numerous and ever-changing identities. Essential to Gee's (1996, 2001) concept of identities as multiple, shifting, dependent on context, and intimately linked to historical and present experiences is the role power plays in identity:

An individual is the meeting point of many, sometimes conflicting, socially and historically defined Discourses... Any Discourses concerns itself with certain objects and puts forward certain concepts, viewpoints, and values at

the expense of others. In doing so it will *marginalize* viewpoints and values central to other Discourses. (Gee, 1996, p. 132).

Gee also emphasizes cultural and situational factors in an analysis of discourse (1999, 2001, 2002). According to Gee, cultural models are underlying or fundamental assumptions that members in a culture may share and which have some bearing on the discourse they are involved in. A cultural model is a social schema or a simplified rendering of storylines with which members in a society make sense of the world.

Words in a discourse are tied to cultural models, because members in a group, who share socio-culturally defined similar characteristics, would choose certain words to communicate, and they expect other members in a group to understand the situated meanings of the words. Meanings of particular words are defined in context in which the words are used. Thus, the use of certain words in a particular context makes it possible for the third party to understand what cultural models and assumptions the social members share at the moment. Because the human mind recognizes and builds many different types of patterns, people develop the skills to recognize and explain certain patterns in any context naturally and culturally. Those patterns that are not too general or too narrow to operate in real lives are called situated meanings, mid-level pattern useful in certain contexts. Situated meanings mediate the actions and reflections with which a person engages the world and the cultural models and theories to which the person relates. Situated meanings are often shared and negotiated between people:

Situated Meanings as a Tool of Inquiry. Situated meaning is a thinking device that guides us to ask certain questions. Faced with a piece of oral or written language, we consider a certain key word or a family of key words, that is, words we hypothesize are important to understand language we wish to analyze. We consider, as well, all that we can learn about the context that this language is both used in and helps to create or construe in any certain way (Gee, 1999). Situated meanings and cultural models can be used as tools of inquiry when a discourse text is analyzed with the expectation that a certain cultural model is shared among all of the members and that those members can make meaning from the discourse.

Sociocultural theory permits individuals—by themselves and with others—to question boundaries and restrictions and to explore new choices through a shared history and common goals. From a sociocultural viewpoint, dialogue plays a fundamental role in teaching and learning. Trathen and Moorman (2001) maintain

that “because dialogue provides a window into our sociocultural lives, its analysis can provide insights into practical and theoretical issues in education” (p. 208).

Ethic of Caring

Students act in response to educational surroundings in profoundly individual ways fashioned by the totality of their own experiences both in and out of school (Beane & Apple, 1995; Freire, 1990; Gatto, 2001). Caring teachers provide a framework for the expansion and development of insight into this response (Noddings, 1984, 1992, 2002, 2011) in order to build a more comprehensive relationship.

The premise of caring teachers embraces the characteristics of an obligation to establish gender and racial fairness, recognizes the reality of multiple truths and attempts to give voice and opportunity for discourse to those who are voiceless (hooks, 2000). Caring teachers look at the nature and course of relationships from the perception and action of one who cares and the one who is cared for. Noddings (1984, 1992, 2002, 2011) describes this ethic of care as a need—and response—based on relational ethics. The successful relationship of caring is totally and wholly interactive and centers on the value of the experience of both parties: if an act of caring is not accepted, acknowledged, and received by the one who is being cared for, the action is not whole or complete.

Engagement

Many large urban high school populations have gotten so large that students are feeling lost and alienated (interview with Alfred, 2003). Research on large schools reveals they tend to employ the least experienced teachers (Klonsky, 2002; Wasley, 2002), have larger classes and tend to serve as a custodial role rather than an educational role (Lee & Smith, 1995). The research also shows that students feel alienated and academically left out and less engaged in school (Johnson, 2001; Martin, 2009), and are more likely to drop out (Archambault, Janosz, Morizot & Pagani, 2009; Klonsky, 2002).

What happened to those small children who once were inquisitive and excited learners; what has stifled their voices? No one really knows for sure. However, as students’ progress through the school system, apathy grows, and high school seems to be the point at which many students completely lose interest in learning. “High school continues to be predominantly an alienating experience for a large number of students” (Roth & Damico, 1994, p. 2). It is likely that the need for

uniformity and discipline constrains the learning development, or that the general curriculum decontextualizes the knowledge that children acquire so easily in their natural environment (Bruner, 1962, 1968; Condry & Chambers, 1978; Dewey, 1900). Before engagement in school may be properly understood, it is necessary to reach a broader understanding of the role motivational processes have in learning.

Support for Student Learning

Schools wishing to support student learning should take into consideration the roles caring and competent teachers and school climate factors play when considering how to establish a favorable learning environment. Noddings (1984, 2002, 2003, 2011) argues for pedagogy of care that centers on relationships connecting people and ideas in schools. She calls for “taking relation as ontologically basic” (Noddings, 1984, p. 4). Many agree that caring is a “moral imperative” (Noddings, 1984, p. 5) adding that it combines both affective and behavioral elements. She recommends that teaching and schools be restructured so caring has a chance to be initiated. Empathetic education requires understanding caring as a value and a cognitive commitment, not just an emotion. Therefore, caring cannot and must not look like pity. An empathetic education is one firmly grounded on positive interpersonal and pedagogical relationships (Noddings, 1984; Shields, 2004). However, Noddings (1984) did not feel that caring involved long-term relationships:

I do not need to establish a deep, lasting, time-consuming personal relationship with every student. What I must do is to be totally and nonselectively present to the student—to each student—as he addresses me. (p. 180)

At least four actions are necessary for teachers to establish affirmative relationships with their students. First, teachers must show students an elevated level of trust (Goddard, Tschannen-Moran, & Hoy, 2001). Second, teachers must show students they care about the students as individuals (Parsley & Corcoran, 2003). Third, teachers must communicate to students that they are willing to help them learn by establishing a learning environment where students are not frightened to take risks (Parsley & Corcoran, 2003). And fourth, teachers must construct a supportive classroom environment, including the use of positive reinforcement, where students feel like they belong (Morganett, 1991).

Haberman (1991) argues that too many teachers use authority and control instead of democratic principles in managing the classroom. In contrast, master teachers

make learning as authentic, relevant, and appealing as possible by utilizing techniques such as thematic instruction, discovery, and inquiry (Haberman, 1991). Coppedge and Shreck (1988) found that what really mattered to students was the teachers' human behaviors. McEwan (2002) adds that highly successful teachers realize and manage the tension between caring and control.

In addition to the concepts of caring and the student, a large compendium of literature supports the correlation between teacher competency and student academic success or achievement. Research on successful and effective teaching links teacher competency with student academic performance (Darling-Hammond, 2000, 2006a, 2010). Darling-Hammond (2000) analyzed policies for teacher education, hiring, licensing, and professional development and her findings suggest a relationship between teacher quality and student achievement for each state in the United States. Specifically, Darling-Hammond (2000, 2006b, 2010) believes the strongest influence on how well students achieve on national assessments was the competence of teachers who were fully certified and/or certified and had knowledge and skills in their content area. Several studies suggest the most reliable and consistent factor associated with student academic achievement is closely tied to teachers who are fully licensed and certified (Darling-Hammond, 2000, 2006b; Goldhaber & Brewer, 1999; Stronge, 2002; Vandevort, Amrein-Beardley, & Berliner, 2004).

Another major contributing factor for student performance was a climate for success (Cook-Sather, 2010). Hoy and Miskel (1991) defined school climate as a broad term that refers to students' opinions and views of the environment of the school. School climate was the personality of the school (Halpin & Croft, 1963). Similarly, Sweeney (1988) acknowledged ten factors those schools with "winning" school climates have in common: supportive and stimulating environment, student-centered orientation, positive expectations, feedback, rewards, sense of family, closeness to parents and community, communication achievement and trust. Borger, Lo, Oh, & Walberg (1985) stated that "a safe orderly environment where rules are clear and consistent was the most frequently mentioned climate variable" in effective school studies they reviewed.

Methods

Three questions guided this qualitative study: First, how does sociocultural theory impact student voice and student engagement in the classroom? Second, how does caring pedagogy impact student voice and student engagement in the classroom? Finally, what school climate factors do students perceive as helping them to be

successful in school? These questions were examined using a comparative case study design.

This collective case study used both naturalistic and positivist paradigms. Merriam (1988) and Yin (1989) define a case study as those in which the researcher explores a particular phenomena or entity, restricted by time and activity, collecting detailed and comprehension information by using an array of data collection over a sustained period of time. Creswell (1994) explains case study as:

An exploration of a bounded system or a case (or multiple cases) over a period of time through detailed, in-depth data collection involving multiple sources of information rich in context. This bounded system is bounded by time and place, and it is the case being studied—a program, an event, an activity, or individuals (p .61).

Patton (1990) asserts that the “debate and competition between paradigms is replaced by a new paradigm: ‘*a paradigm of choice*’” (p. 200, emphasis in original). The methods in this case study were based upon Patton’s concept of *paradigm of choice* in that the surveys (positivist paradigm) and student journals, open-essay questions and observations (naturalistic paradigm) were used for the comparative case study analysis. There is an advantage for the researcher to combine methods as to better comprehend a concept or idea (Creswell, 1994).

Participant Selection

Seven ninth grade high school English teachers, who participated in the Greater Houston Area Writing Project, were asked to participate in a research study, and two ninth grade English teachers names were randomly selected from two high schools in Harrison School District to participate in this study. These teachers agreed to use *Fires in the Bathroom* (Cushman, 2003) as a catalyst for reflection and discussion in their English classes. For a period of six weeks every student in each English teacher’s classroom was a participant in reading, writing in a journal and discussing *Fires in the Bathroom* as a part of the teacher’s lesson plan. At the end of six weeks the teachers’ ninth grade students participated in a national Students as Allies (2003) survey.

The School District and the Participating Schools

The Harrison School District (HSD) is a large urban southeastern school district with over 302 campuses, 209,000 students and 12,000 teachers. With over 30,000

employees, HSD is one of the largest employers in the city of Harrison. Belleview High School, once located on the outskirts of Harrison is now a part of the larger city. Although the city of Bell still has its own city charter and operates as a separate city, Belleview High School has always been a part of HSD. At one time Belleview was considered a bedroom community of Harrison, where people lived and played, then drove to another location to work. Most of the houses are older, but neat and well maintained. Massive oak trees line the neighborhood streets, creating a canopy effect over the sidewalks and streets. At the time of this study enrollment at Belleview High School was 3,237 with an ethnic population of 1,715 or 54 percent of the total population. (See Table 1 *School Demographics*) While the school remains predominately white, East and South Asian students are the fastest growing ethnic group on campus. The high school offers many school-based programs: special education classes, advanced academics, English as a second language and career and technology education. Fifty-one percent of the student population is enrolled in honors classes, and the school has an excellent reputation in the community, in both academics and extracurricular activities.

Table 1. School Demographics

		Male	Female	African-American	Asian	Caucasian	Hispanic	Native American	Mixed
Belleview	N=339	N=159	N=180	N=23	N=90	N=167	N=54	N=0	N=5
		47%	53%	6.7%	26.7%	49.3%	16%	0%	2.7%
Longwood	N=410	N=109	N=301	N=45	N=28	N=14	N=306	N=0	N=17
		27%	73%	11%	6.8%	3.4%	76.3%	0%	4.2%

Longwood High School is located in close proximity to affluent residential neighborhoods, many upscale condominiums and retail shopping stores; however, the neighborhood it now serves have fallen prey to urban sprawl. Houses have given way to apartment complexes or strip malls while many of the retail stores have gone out of business, and countless store windows have been either broken or boarded up. At the time of this study, enrollment was approximately 2,100 students, with a non-white population of 94%. Longwood has one of the most diverse student bodies in the district—composed of mostly lower-income just-arrived immigrants. Students come from seventy-two countries and speak forty different languages. About ten percent of the school’s 2,100 students have been in the country less than one year.

Procedures

Two English teachers in the two high schools and the principal investigators met during the spring and summer of 2003 to plan the study. The study included: a) a common reader (*Fires in the Bathroom*) for 749 ninth grade English students; b) 749 student completions of the SAA survey (2003); c) 749 student reflections over readings. The teachers, themselves, not the principal investigator, made all of the decisions, including when and how and when to read the book *Fires in the Bathroom*, whether teachers would have students write in journals, and who might make up the student research teams.

Data Sources and Analyses

The next sections provide additional information about the sources of data used in the study and the differing forms of analyses. The data sources include a survey instrument, student journals, classroom observations and focus groups. Discourse analysis was employed to gain insight into the data sources.

The Students as Allies survey. The survey, developed by Students as Allies (SAA, 2003), What Kids Can Do Organization (WKCD), www.whatkidscando.org, and MetLife Foundation was used with all three organizations' permission. This survey was divided into three parts: Parts A and B were parts of a national survey that asks students how they feel about their schools. Part C is composed of questions that each of the two high schools developed specific to that school. Part A contained thirty-four questions with response categories: strongly agree; somewhat agree; somewhat disagree; strongly disagree; a lot like me; somewhat like me, not much like me; not at all like me, or yes or no answers. Examples of the questionnaires items are provided in Appendix A. Part B of the survey contained eighteen Likert-scale questions and two open-essay questions. Part C was different for Belleview and Longwood; each school asked questions that were pertinent to their particular school. Both schools asked questions using a Likert-type response: however, there were a few open-essay questions. Students from both high schools responded to this survey electronically using the website SurveyMonkey.

This study reports the results of the survey, open-essay questions on the SAA survey, and narratives from student journals from the two high schools over a two-month period of time from September to October. The three parts of the survey took about twenty to thirty minutes to complete. The high schools completed the online survey within a three-week window.

Student Journals. In addition to survey questions and classroom discussions, 749 students wrote in their journals during the study that focused on Cushman's book (2003), *Fires in the Bathroom*. Cushman's book covers a range of subjects, including how to get to know students, how to earn their trust, how to judge their behavior and what to do when things go wrong. Teachers encouraged students to record thoughts, feelings and experiences connected to school, themselves and *Fires in the Bathroom*.

Journal Writings and Open Ended Data Analysis. To analyze the journal and open-ended questions on the SAA survey, Crawdad 1.1, a computer software that performs qualitative data analysis using the Centering Resonance Analysis (CRA) (Patterson et al., 2005) was used. CRA, the principal approach embraced by Crawdad 1.1, differs from most other approaches, which are based on the rate of word frequency, for CRA is based on word influence. This type of analysis is based on centering theory in linguistics, which assumes "competent authors or speakers generate utterances that are locally coherent by focusing their statements on conversational centers" (Corman, et al., 2002, p. 173). By "centers," researchers refer to nouns or noun phrases that are the subjects or objects of the utterances. These noun phrases are structured by the communicators in a deliberate way to achieve coherence of the texts. The associations or connections among the noun phrases encompass a semantic network to represent the principal or core themes of the text. These noun phrases are not equally significant. Within this network, some noun phrases may have more influence than others to convey meaning. CRA measures the comparative influence of a word according to its 'betweenness' centrality. A word is central if other words have to connect to it in order to make sense within the network. The higher degree of connection or association between the central word and other words, the more influential that particular word. The degree of connection is computed to index the influence of each central word. Several features of the CRA approach fit this study for several reasons. First, CRA helps to categorize themes in the students' written journals and open-essay questions from the SAA survey and therefore derive the frames in the journals and open-essay questions. Second, CRA can compare two sets of networks to find their intersections and their uniqueness.

Patterns for nouns and noun phrases emerged (Glaser & Strauss, 1967) and these patterns could be placed into four categories: self, others (peers), teachers and school. The nouns could be further categorized as: "core of self" words, how I (student) perceive myself; "others," how I (student) perceive how others see me (student); and "fruitfulness," what students perceive as helpful to their success (Gee, 2001). For Gee, language encompasses more than words we say; language

shapes and forms what Gee defines as Discourses. Briefly defined, Discourses are more than language and include our actions, words, attitudes, values, beliefs, social identities, gestures, and clothes (Gee, 1996). Discourses, then, give us a way to define a person's identity (Gee, 2001). Discourses positions or situates identities within a specific view, belief, and value evidenced by an individual's actions and words.

Classroom Observations. Three observations took place at Belleview High School and another three at Longwood High School and included all students as they interacted at lunch in the cafeteria and common areas and in the halls during passing periods to other classes over a six month time period. These observations gave us a feel of what it was like to be a high school student again and specifically what it was like to be a student in each of the two high schools. Classroom observations added significant information regarding ways in which these groups related to instructional strategies, peers, teachers, and curriculum in a classroom setting. Being conscious of the understated and subtle factors revealed connotative meanings of words, the content and interactions visible in discussions among peers and the teacher, the physical setting of interactions and the uniqueness and role of those involved are all vital pieces of observation (Merriam, 2001).

Focus Groups. Teachers from both high schools asked students to volunteer to participate in focus groups. Students who were interested in participating gave their names to their respective teachers. Three ninth grades students names were randomly selected from both high school campuses. Both focus groups met twice and students recounted their experiences reading and discussing the book *Fires in the Bathroom*. These interviews were transcribed and analyzed by the researchers using both manifest analysis and latent analysis.

Trustworthiness and Credibility

Multiple data sources, multiple confirmatory methods, and multiple theoretical frameworks were used in the collection and analysis of the data. SAA survey data, journal entries, and open-essay questions provided triangulation. In addition, both ninth grade English teachers participated in peer debriefing and kept reflexive journals that served as both an audit trail and a check of researcher self-awareness, cultural consciousness, and perspective (Patton, 2002).

Results

Patterns emerged about “self,” “student,” “teachers,” and “school” in the analysis of the survey data for Belleview and Longwood High Schools (Gee, 2001). On a positive note, respondents believed their principals modeled respectful behavior, and they believed what they had to say was valued by teachers and administrators. However, the students’ very pointed, specific, and powerful suggestions relating to school and learning are the focus in this paper.

Relationships with Teachers

Survey results from both high school campuses indicated students wanted teachers to care about them as human beings and to connect with them on a personal level (72%). They reported they needed teachers who were kind and patient, had a good sense of humor and made the class interesting and fun in order to be successful in school (94 %). Students stated they needed teachers to be advocates when their voices were not heard by other teachers and administrators (92 %). Students also stated they needed quality teachers, those teachers who wanted to teach them and motivate them to learn (85%). Students wanted teachers who were enthusiastic and knew their content areas (84 %).

Community of Learners

In addition to these teacher-related issues, students also were concerned about the issue of time. Students needed time. They desired individual time, one-to-one time from the teacher. Students wanted teachers to give them constructive and timely feedback so they might be able to revise their work (74 %). Students wanted time to talk about assignments in class with their peers and with the teacher. Many students wrote that time to talk in class was a way for them to better comprehend the subject matter as well as hear differing viewpoints. They wanted time in class to actually do the work where they had access to teacher support (82 %). Students wanted study hall periods incorporated into the school day schedule and the study hall teacher to be a teacher they had during their regular class schedule (77 %). They wanted real life connections to what they were learning (94 %).

Functional Physical Plant

Students reported that both schools were safe and that bullying from peers and harassment from adults were not an issue (73 %). One school’s respondents perceived their school as having positive school climate factors, factors that

enhanced school achievement. However, respondents reported they were concerned about the culture of cheating on their campus (72 %). Students wanted clean bathrooms that worked (82 %). They indicated that an outside physical education facility would be nice and could be used by the community and students after school hours (55 %).

The students in this study identified several factors they consider positive and valuable to them. The students from both schools identified they wanted caring teachers. They want teachers to value them as a person and as a learner (Noddings, 1984). Students want teachers who care enough to give them information in order to succeed, had a sense of humor, valued the importance of a supportive classroom (Morganette, 1991), and who had good communication skills. Students from both schools wanted teachers who were empathetic and compassionate towards them (Skinner & Belmont, 1993). Students recognized caring teachers create a sense of belonging; a community of learners. This community of learners provides them with a safe learning environment where they felt free to ask questions, talk with their peers and engage in meaningful conversations without the fear of reprisal.

Implications

The following section details the implications of this study. Employment issues, instructional leadership, issues dealing with valuing and respect and school climate factors and environment are addressed.

Employment

Based upon the findings in this study, implications for teachers and school leaders is such that principals must employ teachers that have an ethic of care and who can teach in an evocative and meaningful way and principals need to take the time and energy that is necessary to find the right teacher for the position. In addition, administrators need to employ teachers that have good classroom management. Students often complain about the noise level in the classroom and want teachers that have effective classroom management skills. Professional development at the beginning of the school year should have a component that encompasses classroom management. Students value competent and enthusiastic teachers who know their subject matter and are passionate about teaching it; principals should hire teachers who are well qualified—having all certifications in place with the state education agency. Administrators should hire teachers for only the positions for which they are certified to teach.

Instructional Leadership

One area of specific interest to principals falls under the category of instructional leadership. These implications can guide the school leader towards competencies to consider when evaluating instruction or planning staff development opportunities. When instruction is meaningful, students value instruction. They value time to talk and interact with each other. Teachers need to provide time for group work and collaboration among students and should vary student collaborative groups from time to time so students can get other classmates points of view. In addition to time to talk with each other, students value interaction with the teacher. Students and teachers need to have a regular dialogue to negotiate what part of the assignment can be done with peer collaboration and what part is independent work.

Course work should be meaningful, engaging and connect what is happening in the students' world. Students from both schools value an education and want to learn. They want schoolwork that connects what is learned at school to their world outside of school. The big question students want to know is "why do I need to know that?" or "why is that important to me?"

None of us value busy work and these students did not either. They did not mind working hard, but they wanted challenging, stimulating work. Students did not like, nor learn from worksheets, crossword puzzles, and word searches. Whether in AP classes or regular classes, students wanted work that would challenge them to use higher order thinking skills. Along with this work, students need helpful, timely and constructive feedback that allows them to move forward. This feedback encourages teachers to put more of a focus on what the student is learning and not what they are doing.

Valuing and Respecting

Students have important things to tell us about their learning and their schools if we will only have the courage to ask. Students want to be involved in the decision-making process; they want to feel a sense of ownership over their own learning. By honoring their need and desire for an excellent education they can work with teachers to create a classroom culture where they take responsibility for their learning and are full participants in the process.

Teachers are on the front line when it comes to valuing student input into the process of schooling and learning. To do this effectively and skillfully teachers

need support, mentoring and feedback from their peers so they can do the job of teaching. However, teachers cannot do this without the support of caring principals who make a commitment to student participation in the process and support teachers with mentoring, time and resources to make it happen.

Environment

Students want a safe school environment. They tell us they want working facilities; bathrooms, good lighting in the classroom and classroom equipment that is in working order. In the classroom they want the teacher to have good classroom management and enforce classroom and school rules, but enforce them consistently and fairly to all students and not to just the favored few. Above all students tell us the school administrator has an unequivocal impact upon the tone and approach used with school discipline. Discipline should be fair and retribution should not surpass the offense. The school administrators who work with student discipline must acquire a research-based approach with discipline. The focal point must be on helping students learn new and suitable behavior and not focus on the punishment.

Summary

Based upon findings of this study, the implications for teachers and administrators are: (1) Administrators must expect that teachers provide students with meaningful and effective teaching (instruction) and schoolwork. Students are sincerely interested in the quality of their school and they want to learn meaningful information. (2) Teachers need to provide students with timely and constructive feedback about their work. The teacher should focus more upon what the students are learning than what the student is not doing. (3) Principals and administrators need to hire teachers who have effective classroom management skills. Students wanted teachers to be fair to all students and not to have favorites in the classroom. (4) Students value competent and enthusiastic teachers. Students want rigorous, but caring teachers. Students do not value the so-called “easy” teacher. They actually resent these teachers more than the “strict” teacher. A caring teacher knew students’ names, had high expectations for each student, and interacted with all students in the classroom, and provided attention help and support as needed (5) Students value time to talk in the classroom. Teachers need to give students time to talk and interact with each other in order to help each other out. Talking and discussing the text becomes a scaffold for student learning. (6) Students want the infrastructure at school to be in good working order; from working bathrooms to up-to-date technology.

If we ask students, they will tell us what they perceive they need in order to be successful in school. During this study, students from both focus groups commented how they had participated in “something like this Miss and nothing happened.” (Sam, participant) Several of the participants in the focus group felt their voices were not heard and therefore were reluctant to voice their opinions. “It’s the same old run around and they don’t care nothing about us” (Sam, participant). If we ask, administrators and teachers must listen to their voices.

Appendix A: Students as Allies Survey (adapted)

Part A. Demographics

- What is the name of your school?
- Ethnicity
- My principal models respectful behavior.
- My school respects all races and cultures.
- Students in my school care about learning and getting a good education.

Part B. Recommendations for Change

- How often do your teachers speak with you one-on-one about how well you are doing in school?
- How often do your teachers speak with you one-on-one about your interests and things that are important to you?
- Have you ever thought about dropping out of school?

Part C. School Specific Questions for Change

- My parents are aware of what and how I am doing in school.
- I know how to become more involved in school activities if I were to choose to do so.
- I would like to see cleaner bathrooms.
- I know all of the administrators in my school by name.
- Success is highly valued in my family.
- Teachers give me adequate feedback about my progress in class before report cards come out.

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Dennis Littky, the Educational Activist: Can His Model Revamp the Public Educational System?

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When an individual observes a classroom of today, he will see many elements that are recognizable to anyone who attended school during the last one hundred years, students working from textbooks, repetitive worksheets, and rows of desks holding students completing tasks directed by the teacher. Even though societal and technological advancements are increasing rapidly, our school system has stayed stagnant. What this means for students is the lack of individuality, teachers' non acceptance of personal interests, lack of personal voice, and in many cases, a non relationship between teacher and student beyond the classroom assignment (Castleman & Littky, 2007).

This is detrimental to the success of many students, but is what we continue to see in classrooms in every grade level. It is understandable from the teachers' viewpoint why the classroom is designed this way. Teachers are charged with teaching an average of 28 students per 45 minutes. They are required to teach every state required curriculum standard within the nine months of school including all the days missed for state evaluations, holidays, and extracurricular activities. Teachers are evaluated on the knowledge and application of the state standards, not on whether the students increased their learning by two or three grade levels, attended school each day, or invented a new video game with a group of friends. Teachers have these students for a year then will receive 150 new students the following year. Teachers are not rewarded for increasing students' learning; they are only rewarded if they reach a certain standard score. Across the United States, teachers are stifled and frustrated. Students are unable to connect learning to real world problems, integrate subjects, or learn the demands of today's workplace (Castleman & Littky, 2007).

Background of Littky

Dennis Littky does not present the professional look of the average educational administrator. His long, scraggly beard, untucked plaid shirts, and unironed pants do not present a professional look to community members. Even though he has brought much acclaim to the schools he has led, his innovative ways had him close to unemployment in every school he has been an administrator (Kammeraad-

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Campbell, 1989; Keough, 1999; Petrie, 1992). His determination to improve the educational system has brought important change in many schools.

Littky believes that the personalized education model should include rigor, structure, and accountability. This is a common belief today, but many of his past enemies saw him as a radical educator (Keough, 1999). His education includes two Doctor of Philosophy degrees in education and clinical psychology. The first school he led was a middle school in Shoreham-Wading River, New York. He hired all the best teachers from the surrounding districts that wanted the challenge of starting a new school. All staff members averaged 80-hour work weeks, read books, and reflected collaboratively. He also added field trips to the curriculum since most of his students had never been out of the city. He required each student to participate in a community service project and a student advisory program. He utilized the concept of integrated learning, combining subjects and developing common themes and team teaching among his staff, but this new excitement was too much for the community. The board dismissed him even though the school won awards and became nationally known by many educators (Goldberg, 1990).

His second challenge was in Winchester in 1981. The students were disgruntled and undisciplined. There was no structure, respect, or relationships between administrators, teachers, or students. Littky met with each of the 310 students for one hour so they could learn about him and likewise. He scheduled coffees for parents to come give their complaints and concerns, and if he had not met a parent, he went to their work. He turned the school into a national model that brought attention nationwide. Once again, he learned that the students needed more structure and development in the real world setting to keep them motivated to learn. He began student internships with local companies, incorporated a collaborative time for both student and teacher to develop rules and structures for the school, and taught the teachers how to use small group structure. Once again this caused discord among the conservative vocals since it looked too disorganized and not like the schools they had attended (Goldberg, 1990; Keough, 1999).

Littky later opened The Metropolitan Regional Career and Technical Center (The Met) when Rhode Island requested a new vocational school where students were partnered with local companies. Littky convinced them not to do what had been done before, but to be innovative and think differently. He would not open a school where students sat through seven disjointed subjects a day. The Commissioner of Education, Peter McWalters, gave him permission to lead this new school with the agreement the students would still participate in the required state assessments as the public schools. Other than that, Littky could design the school however way he desired (Keough, 1999).

Littky was adamant that students accepted into the program were the ones that were likely dropouts from the public school system. Unlike some charter schools, these students would not be the highly sought after students with potential. Most of the students were very diverse with 82% being on a free or reduced lunch program. Many did not read on grade level and several were learning to speak English with non-English speaking parents (Littky, 2004).

The leader and teachers met in the beginning to answer the questions, “What’s best for kids; and if we could educate one child at a time, what would the educational environment look like, and how would we create a structure around it?” (Littky & Grabelle, 2004, p. 285). The use of a non-curriculum based school and the lack of teaching standards was very alarming to some. Marcia Redback, Rhode Island Federation of Teachers and Health Professionals, was concerned that many students would receive a high school diploma without knowing many of the standard curriculum taught in public schools. Littky’s argument was that standards should be taught based on the individual student. Teachers no longer needed to teach facts. Those could be found on the Internet. Schools must now teach students how to apply facts to real life problems at any time (Keough, 1999).

Littky also noticed that many of the dropouts were African American and Hispanic students. Many community members blamed the environment; Littky blamed the school system. The data show that less than half of students in “high poverty, racially segregated and urban districts complete high school” (Scurry & Littky, 2007, p. 17). Seventy four percent of students who attend colleges come from the top of the socio-economic quartile. Less than ten percent from the low socio-economic quartile attend college. Littky saw this as a great disparity. He understood that by 2020, 30% of the workforce will include minority races that the educational system has not prepared (Scurry & Littky, 2007).

Littky used his knowledge in educational psychology to develop the Big Picture Company and the educational model that follows the three R’s: Relationships, Relevance, and Rigor. This model is now supported by the Bill and Melinda Gates Foundation. The Gates Foundation, in 2000, observed the Met and financially supported 56 more schools. Littky and his partners are willing to open more, but remain committed to opening a new facility when they can guarantee the mission and vision remain the same so that none of the educational goals are compromised (Littky, 2004; Littky & Grabelle, 2004; Scurry & Littky, 2007).

Even though Littky has received the New Hampshire’s Principal of the Year Award, the Harold W. McGraw Jr. Prize in Education, and a book and television movie named after him, “A Town Torn Apart,” his radical ways and innovative thinking has caused many lost jobs. Littky feels strongly that all schools can grasp

the goals of his educational philosophy and make major changes in student achievement in all schools. Littky's motto is "Education is Everyone's Business" (Littky & Grabelle, 2004, p. 285; Sparks, 2005). Right now, schools are full of rituals- textbooks, memorization, and military movement. If all stakeholders become involved in the decision making process of each child's learning, then schools can become leaders in the learning process.

Dewey Principles

Much of Littky's educational philosophy is based on John Dewey's, *Experience and Education*. Dewey wrote that education and the continuity of experience must be interrelated for children to grasp a new concept (Dewey, 1938). A student is able to comprehend a new subject when he can compare it to something from his own environment, something he has experienced prior to the learning of the new concept. Dewey stated that if something was a true educational experience, it must lead to growth, which continues to lead the child to learning more. It must also be a positive experience or the child will receive a mis-educative experience. This type will not lead the child to learn more (Bassey, 2010).

Students must be a part of the curriculum process. Working together with the teacher, students should "frame and execute their own purposes" (Tozar, Senese, & Viola, 2009, p. 152). We must start with the interests of the learners and relate the new ideas to an experience they understand. Dewey argued that children did not join the world as a blank slate. Children have many experiences and relate all new learning with them. Without the relationships, there is no learning. We must shape their interests with new experiences that are educational. Reading out of a textbook can be done, but has little interest to a student; therefore, learning rarely takes place. Why is it that we still teach out of textbooks one hundred years later (Tozar et al., 2004)?

Dewey studied the education of African Americans and learned that it was not the students who were incapable of or unwilling to learn, but the system that was forcing them to learn something that was not in their personal environment was leading them to non-learning. The system forces a child to learn in an upper socioeconomic Caucasian way. Any student who does not fall into this category is being forced to learn concepts that mean nothing to them. Dewey asserted that a student must relate educational subjects to their own personal environment to receive an educational experience. Dewey wrote this in 1938, and we still have not fully comprehended and used this theory in the classrooms of 2012 (Bassey, 2010).

Kammeraad-Campbell (1989) described the influence Dewey had on Dennis Littky. With his experimentalist philosophy, both individuals believed that students must have a direct experience with the learning. Students must experience a subject through activity to truly grasp the concept. If a student sees success in the learning, they are more apt to try it again. Teachers and students must both be active learners in the process. With this action, learning and an educational experience occur (Stallones, 2010).

Littky takes Dewey's theory and bases his entire educational philosophy around it. Every new teacher that worked under Littky received a copy of Dewey's *Experience and Education*. Students learn best when they have a personal experience that relates to the subject. If a student is taught math from a textbook with no prior knowledge or understanding of its usefulness, then he will not learn it. Too many times, we see students memorize math skills to fulfill the grading requirements on a test, but when asked later how to complete a problem or the application of the problem in real life, no answer is given.

Parental Involvement

For students to be accepted into one of Littky's schools, parents must sign a contract in which they promise to attend all quarterly evaluations, presentations and participate in their child's individual learning plan. They become an integral part of the student's academic career. Without this contract, students are not accepted (Keough, 1999).

School administrators invite the parents to social events where their concerns and feedback are openly discussed. If students are unable to attend any of the events, administrators go to their homes or work. Littky states that without the parent's participation, students' achievement is negatively affected. Parents are required and encouraged to participate in activities in the school. Parents are encouraged to be proactive with their children's educational plan and state how they will participate in achieving the goals listed for their student (Goldberg, 1990).

Parents also complete surveys each year from the School Accountability for Learning and Teaching. This data is required for the Rhode Island State Accountability system and is made public. School administrators know the importance of keeping parents involved and answering their concerns. Using this data, students' achievement is affected positively. Parents become a part of the school, therefore, a part of the child's educational life (Littky, 2004).

Parents are considered the most valuable resource for the school. Littky says that they not only enroll students but their families as well. Families are asked to write

an essay separately from the child upon enrollment. When the child is accepted, both students and parents sign a contract stating they will support the teachers in the learning process. Parents must provide ten hours of community service every year. They must also participate in every meeting that works on the personalized education plan for their child. All this includes eight yearly visits to the school to participate in planning, presentations, and exhibitions (Littky, Diaz, Dolly, Hempel, Plant, Price & Grabelle, 2004).

School Curriculum

Even though there is no packaged curriculum, Littky's schools follow five goals. The first is empirical reasoning. Instead of teaching basic science vocabulary, students are exposed to proving hypotheses. When students see their theory come true, their grasp of the science subject becomes concrete and a true educational experience. They are taught to act like a scientist. The second goal is quantitative reasoning or the study of mathematical skills in real world problems. This goal is mainly used with measurement and representation of math problems. Each skill is introduced as needed when completing a problem in their apprenticeship. The third goal is social reasoning. Humanities is introduced and discussed while comparing it to modern events. Students are taught to think and act like a historian and anthropologist. The fourth and fifth goals are communication and personal qualities. Written expression and professional speaking along with leadership skills is taught daily and integrated into the other disciplines (Littky & Gabrelle, 2004; Sparks, 2005).

Students use these skills when presenting their learning in public forums or their job sites. Students and teachers meet three days a week in various groups to work on the five goals. Teachers are able to integrate the subjects for the students, subjects are taught using real life experiences that the students encounter in the internships. All the work makes sense to the student, and both teachers and students become learners together (Sparks, 2005).

Real World Learning

Schools that follow Littky's approach, personalize the curriculum for each student's passion and interests (Keough, 1999). Every student has an individual learning plan that incorporates "student's interests, strengths, and areas that need improvement, both academically and personally" (Castleman & Littky, 2007, p. 60). Students meet with an advisory team led by a teacher that remains with the student for the full four years of high school. The advisory committee, including fifteen students, ensures that each member receives the full attention of the leader.

This meets the academic, emotional, and behavioral needs of the student. This model makes the “small school smaller” (Scurry & Littky, 2007, p. 17).

It is the responsibility of the teacher to determine the student’s interests and discover resources within the local community to help the student. Based on the students’ interests, students are assigned a mentor from a community business where 2 days a week, they work at the company completing tasks required by the employer. The mentor helps students understand math and science while completing authentic problems within the company. Every 3 weeks, the advisor visits the mentor and observes the students’ work. The observation excites the student to show off skills and helps the advisor know what educational skills must be the next focus of learning (Castleman & Littky, 2007; Scurry & Littky, 2007; Sparks, 2005).

An example of a student success was a 15-year-old African American student who failed most of his public school classes. He enrolled in the Met and told his mentor that he was interested in computers. When asked why he did not take any in his last school, he commented that his school only provided keyboarding. At the Met, he interned at Concept Link Ltd. learning graphic design, Internet publishing, 3-D modeling, and computer animation alongside professionals in the field. This motivated the student and turned him into an excited learner. He never missed school and used his new math skills while developing new animations (Keough, 1999).

Students learn math and science through the internships. They are more accepting of learning the skills because it makes sense to them. It correlates with a real life problem, such as selling a house with a local realtor or building a boat to learn a physics formula. Students meet with math and literacy specialists three days of the week to learn specific skills of the subjects they can take back to the work site to complete a project (Scurry & Littky, 2007).

The Met inspires each student by developing all curriculums around their interests. Some argue that this is a revival of the 1960’s philosophy of giving the students whatever they want, but the data coming from schools using this model is showing success. The public schools in Rhode Island have an 80% daily attendance rate and a 55% graduation rate. The Met has a 94% daily attendance rate and a 95% graduation rate, plus 75% are low-income students and the first in their family to graduate from high school. Ninety-nine percent of students go on to college and of these students, 70% have graduated or are continuing their college studies. When the interests and the passion of students determine the focus of the teaching, student success is achieved (Castleman & Littky, 2007; Keough, 1999).

Alternative Assessments

Besides the states assessments, there are no formal tests or assessments. According to Littky, state assessments were never meant to solely be used to measure a school's performance. Littky uses them to compare his data to traditional public schools to prove his school philosophy works. Students are evaluated every quarter through presentations. Students are expected to present data from their projects to show their learning. Much of this presentation is applying the learning of math, science, and social studies to real world problems that the student has encountered in the internship (Keough, 1999; Littky, 2004).

A student who interned at a physical therapy clinic worked closely with an aquatic treatment for clients. She learned math and physics to understand the reasoning behind how the treatment worked so she could calm the patients while they were receiving the medical care. For her quarterly assessment, she discussed the treatment, research behind the treatment, and the scientific benefits for current patients who participated in the treatments. This hands-on approach made science understandable for this student who had previously never passed a science class in her public school years. Now, not only does she truly grasp science, she is able to take the scientific terminology and apply it in laymen terms to individuals so that they may understand (Scurry & Littky, 2007).

The students still participate in the required state assessments, but all other assessments are completed through portfolios, projects, project presentations, and evaluations. The students present in a dissertation defense style to a panel of teachers, parents, administrators, and local business leaders (Keough, 1999; Scurry & Littky, 2007). Students at the Met pass other state schools with similar demographics in both math and reading on the state assessments, but the school administrators look at several forms of data to determine a school's true success. Attendance data shows the level of relationships and respect between students and teacher. If teachers provide an environment that is engaging and motivating, then students will be present. Two other important elements of engagement is relevance of work and the relationship between teacher and student. If students feel what they are doing is important and personally meaningful, plus the teacher genuinely cares for them, the student will remain in school (Littky, 2004).

Data are also collected on how many students remain and graduate from college. Students should enroll or have the choice to enroll in any college or post-secondary educational facility. Their individual learning plans allow them to make this choice. Teacher availability is also monitored along with school safety, parental involvement and diversity. Surveys are taken which ask if students are able to talk to their teachers about academic and personal problems, and if they

feel safe in their school, not only in the physical facility but also from other students. Lastly, diversity data are disaggregated by class, race, and socioeconomics (Littky, 2004).

The Met has ranked first in parent involvement, school climate, and quality of instruction in all schools in Rhode Island. It has the lowest percentage in students being bullied and the highest percentage in relationships between teacher and student (Littky, 2004). Littky is currently designing data collecting that include finishing college, being in a satisfying career, and continuing learning for learning (Keough, 1999).

Charter Philosophy and Public Reality

Can public schools change the one size fits all system? Four elements are essential to meeting the needs of today's student. Public schools are capable of implementing personalization, real-world learning, community members, and staff development. Administrators must assign a mentor for each student and require weekly meetings. Mentors can use questionnaires and personal interviews to determine the student's interests. Learning plans can be developed and made available to the teachers so they may teach the required subjects around the individual interests of the students (Keough, 1999).

Administrators must also assign a community mentor to each student where they can complete internships. They can meet with the student to help complete projects that must be developed but is also useful to the company. Much of what is holding public schools back is the emotional baggage that students bring with them each day. Littky feels that when students are out and applying their learning to real hands-on problems, they are able to overcome their personal issues and find success in learning (Keough, 1999).

Finally, administrators must provide training for the teachers. They must be taught how to personalize learning and meet the students' needs. They must talk with other peers concerning their own frustrations. This conversation is needed so that administration can address teachers' concerns. Administrators must also make sure that teachers do not fall back into the traditional education mode. To guarantee this, administrators should get constant feedback from teachers and provide solutions for them when needed (Castleman & Littky, 2007; Keough, 1999).

Changing the System

Using Littky's educational model, we can change the current traditional school system. To provide the child a worthy educational experience, we must allow

them the freedom to thrive and use their curiosity and creativity to experience math, science, and history through real life problems. Littky's educational theory uses a holistic approach, meeting the students' needs while engaging their interests and passion for learning. Because of this real-world connection, students come to school and enjoy the process of exploring new learning (Castleman & Littky, 2007).

One key element of Littky's model is the small number of students in each school. The goal is keeping enrollment around 100 students per school with 13-15 students per class. Students are expected to attend one college class at the local community college each year while in school. They are provided support while attending the college class in study skills, note taking, and college success tricks while immersed in an actual class. This support shows the students they are capable and provides them a safety net so that any concerns or fears are addressed immediately (Keough, 1999). Schools can achieve the small school model by separating heterogeneous groups of students today in a teaming format.

Schools must take time to learn each student and who they are as an individual learner. The number one goal is developing the student's love of learning and connecting their happiness to solving real-world problems. What has been most impressive with this educational approach is the increase in student achievement in "degree of focus on school and learning and students developing their own standards for quality of work" (Keough, 1999, p. 26).

Even post secondary education facilities are now adapting and embracing this model. Kaitlyn Britt, College of Engineering Admission's Counselor at the University of North Texas (UNT), stated that UNT has completely redesigned their curriculum around this model. Companies such as Texas Instruments and the United States military voiced their concerns of the lack of skills coming from the engineering graduates. Because of this concern, UNT took a proactive stance and invited companies to bring their problems to the university and allow students to develop solutions. Students no longer spend the first three years learning from textbooks and sitting in classrooms getting the information from the professors (K. Britt, personal communication, March 14, 2012).

UNT Engineering students choose a research cluster, which represents their interests in the first semester they enter. Examples include designing a laser that goes through the body to detect cancer, or designing a helicopter blade for the U.S. military that lasts ten years instead of five. This hands-on approach has made UNT a top choice for many students interested in the engineering field. Also, due to this internship, many students go on working with the partnering companies upon graduation (K. Britt, personal communication, March 14, 2012).

Any school has the ability to change for the better. Research shows that high performing schools all have a “common focus, high expectations, mutual respect between teachers and students, a personalized learning program for each student, authentic performance assessments, and in-depth learning” (Littky, 2004, p. 4). Public school administrators can observe these elements by visiting schools like the Met. Observers see the relationships between the teachers and students, the positive culture seen from all staff and students, the conversations, respect, quality and depth of student work, and more importantly, the pride (Littky, 2004).

Administrators must take time to teach the teachers how to individualize the student’s learning, how to build appropriate relationships with the students and peers, and how to produce quality assignments. Many teachers are state certified, but that does not mean they are qualified. For teachers to truly impact student learning, they must be a part of the collaborative training and professional learning community (Goldberg, 1990; Sparks, 2005).

To truly change the public school system, teachers are key. In the twenty first century, teachers must multitask by running different programs for different students (Sparks, 2005). Administrators must hire teachers that can understand the difference between what they believe in versus what they are actually doing in the classroom. They must undo what many of them have done for several years through the traditional educational model. Teachers must also bring the real world into the classroom. If internships are difficult for some schools due to the rigid state requirements, teachers must be able to bring those real life problems into the classroom instead of dissecting science or math out of a textbook (Sparks, 2005).

Good leaders can shape a teacher by encouraging risk taking, reinforcing their passions, and consistently reviewing their commitment. If the school answers every situation with what is best for the child, then the actions of the school will follow the vision. Great teachers are made by good leader support. If they feel supported and their beliefs are reinforced, then the positive culture will remain and get better. This, in turn, will improve students’ achievement (Sparks, 2005).

Administrators and teachers attitudes must model the mission of the school. They must inform the student through verbal interaction and physical environment that the student can achieve. When students observe their teachers working hard and excited about their work, the students’ attitudes are positively influenced. When students feel supported and others have great faith in them, they carry that attitude throughout their adult life. This does not mean that students can do whatever they want. Discipline and structure is very evident in high performing schools (Sparks, 2005).

The greatest schools have the “frequent, forthright and humane conversation as the lifeblood of school reform” (Sparks, 2005, p. 41). Conversations are the makeup of every great school. When teachers become learners with their students, more ideas are developed and more learning occurs. For true success, every stakeholder must believe in the same vision and shared philosophy. All the traditional ways of teaching must be thrown out. To do this, constant communication through reflective journals and dialogue among administrators and teachers should occur continuously throughout the year (Sparks, 2005).

A successful culture questions everything. Everyone is involved with implementing the students’ learning plans. What works best for the child becomes what is best for the school (Sparks, 2005). Many participants of Littky’s philosophy believe that all schools can improve. If communities love the children more than the traditional educational setting they had growing up, then they can bring change and provide choices to the public school (Likky & Grabelle, 2004).

Ted Sizer, Coalition of Essential Schools, and a proponent of Littky feels that this shift in public schools can be made possible when communities see students and teachers as “active partners in creating meaningful learning” (Likky & Grabelle, 2004, p. 284). If public schools want to make meaningful change, schools should follow six principles. Teachers and administrators must know their students- personally, behaviorally, and academically. Curriculum standards must be lessened in number and studied more in depth. Learning must also be personalized towards each student. If a student learns through problems that relate to the student, then they gain a true educational experience, as Dewey stated. The student must become a worker. The combination of learning in a real world setting is needed for the 21st century learner. Also, to truly assess the success of the school, several varied assessments must take place. Not only should data be taken for the students, a successful school must use data to analyze the teaching strategies, effective learning in the real world, and access to university learning. Finally, schools need to remain small. If schools grow too large, personalization of learning gets lost (Likky & Grabelle, 2004).

The success of the Met has influenced Rhode Island to pass new education laws. The Department of Education is pushing every public school to have an advisory period, produce a personalized learning plan for each student, and use multiple assessment measures including qualitative measures of portfolios and exhibitions. This can be done in any traditional public school. Everyone plays a part in a successful school. Educators become leaders in the schools and communities; students become researchers in their fields; and, community members become

“participants and decision makers in the education of [the] youth” (Likky & Grabelle, 2004, p. 285).

The overall goal is to teach today’s student to become a lifelong learner (Littky et al., 2004). The biggest challenge of changing the educational system today is unlearning what we have always done for the past three hundred years. We have made small strides, but overall, the data still shows that the disparities between races and socioeconomic classes are staggering. For these gaps to be closed, we must accept that change must be made, and we must do whatever it takes to achieve this change. Students deserve to learn the way their brains are designed to learn. Any student, no matter the intelligence, age, race, class, or motivation, can be put in front of a video game and figure out the steps to play. They are capable of learning and applying math and science.

Why not take this excitement for learning and redesign our schools to meet this need? We must realize that students of today do not accept the learning that we have done traditionally. Fortunately, corporations are mandating that we produce different learners. This vocalization is leading down into the school system and demanding change. It can be done; it must be done. Following the educational theory of Dennis Littky, we can do the most common sense action, provide personalized leaning for each student.

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School

Leadership

Review

*The international, peer-reviewed journal of the Texas
Council of Professors of Educational Administration*

ISSN: 1559-4998

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