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## Reorganizing a Countywide School District: A Critical Analysis of Politics and Policy Development Toward Decentralization

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**Abstract:** Policymakers and educational leaders continue to use school district decentralization as a reform effort that attempts to shift power and authority from central office administration to school-level leadership. In 2015, the Nevada Legislature passed legislation to restructure the Clark County School District (CCSD), the state's largest school district, with the intent of breaking it up into smaller districts but instead evolving to decentralization. In this article, we use case study methods to explore the events leading up to the reorganization of CCSD. We take a critical perspective on Kingdon's multiple streams framework to analyze the reorganization efforts, focusing specifically on how Nevada's political context provided a window of opportunity for the

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reorganization to occur. We also examine the extent to which equitable educational opportunity was a factor in these efforts. Our analysis of the reorganization of CCSD contributes to a wider understanding of state-level policy development and politics within contemporary educational contexts. In this case, we find that state-level policymakers successfully leveraged the opportunity to enact the power and authority necessary to significantly and rapidly impact the structure of one of the largest school districts in the United States.

**Keywords:** case study; critical policy analysis; decentralization; equity; multiple streams; policy process; politics; reorganization

### **Reestructurando un distrito escolar al nivel del condado: Un análisis crítico de la política y el desarrollo de políticas hacia la descentralización**

**Resumen:** Los formuladores de políticas y los líderes educativos continúan con el uso de la descentralización del distrito escolar como un esfuerzo de reforma que intenta cambiar el poder y la autoridad de la administración de la oficina central al liderazgo a nivel escolar. Durante 2015, la Legislatura de Nevada aprobó una ley para reestructurar el Distrito Escolar del Condado de Clark (CCSD), el distrito escolar más grande del estado, con la intención de dividirlo en distritos más pequeños, pero se desarrolló hacia la descentralización. En este artículo, usamos métodos de estudio de caso para explorar los eventos que causaron la reorganización de CCSD. Tomamos una perspectiva crítica sobre el *multiple streams framework* de Kingdon para analizar los esfuerzos de reorganización, centrándonos específicamente en como el contexto político de Nevada creó oportunidades para que se produzca la reorganización. También examinamos el punto en cual la oportunidad educativa equitativa fue un factor en estos esfuerzos. Nuestro análisis de la reorganización de CCSD contribuye a una comprensión más amplia del desarrollo de la política y las políticas a nivel estatal dentro de contextos educativos contemporáneos. En este caso, encontramos que los legisladores a nivel estatal exitosamente aprovecharon la oportunidad de representar el poder y la autoridad necesaria para tener un impacto significativo y rápido en la estructura de uno de los distritos escolares más grandes de los Estados Unidos.

**Palabras clave:** estudio de caso; análisis crítico de políticas; descentralización; equidad; multiple streams; proceso de política; política; reorganización

### **Reestruturção de um distrito escolar no nível do condado: uma análise crítica do desenvolvimento de políticas e políticas para a descentralização**

**Resumo:** Os formuladores de políticas e os líderes educacionais continuam a usar a descentralização do distrito escolar como um esforço de reforma que tenta mudar o poder e a autoridade da administração do escritório central para a liderança do nível escolar. Em 2015, o Legislativo de Nevada aprovou uma lei para reestruturar o Distrito Escolar do Condado de Clark (CCSD), o maior distrito escolar do estado, com a intenção de dividi-lo em distritos menores, mas desenvolvido para a descentralização. Neste artigo, utilizamos métodos de estudo de caso para explorar os eventos que causaram a reorganização do CCSD. Nós tomamos uma perspectiva crítica sobre o quadro de múltiplos fluxos de Kingdon para analisar os esforços de reorganização, enfocando especificamente sobre como o contexto político em Nevada cria oportunidades de reorganização. Nós também examinamos o ponto em que a igualdade de oportunidades educacionais foi um fator nesses esforços. Nossa análise da reorganização do CCSD contribui para uma compreensão mais ampla do desenvolvimento de políticas e políticas a nível estadual no contexto educacional contemporâneo. Nesse caso, descobrimos que os legisladores estaduais conquistaram com sucesso a oportunidade de representar o poder e a autoridade

necessários para ter um impacto significativo e rápido na estrutura de um dos maiores distritos escolares nos Estados Unidos.

**Palavras-chave:** estudo de caso; análise crítica de políticas; descentralização; equidade; múltiplos fluxos; processo político; política; reorganização

## **Reorganizing a Countywide School District: A Critical Analysis of Politics and Policy Development Toward Decentralization**

School district reorganization, including efforts to consolidate, fragment, or decentralize<sup>1</sup>, can lead to significant changes in the educational opportunities provided to students. Often, these efforts are prompted by a variety of political, economic, and societal pressures. Indeed, a number of school districts have reorganized as a result of local community members petitioning to secede from larger school districts (16 states currently allow this method) in order to establish new local and smaller school districts (EdBuild, 2017). Other reorganization efforts have resulted from state legislation (e.g., Chicago Public Schools, Clark County School District) and local school boards implementing decentralization policies (e.g., Houston Independent School District) that seek to provide schools with more autonomy around decision-making with the goals of increasing engagement and student academic outcomes (Bryk et al., 1999; Ouchi, 2006).

Throughout much of the 20th century, many U.S. school districts reorganized by consolidating nearby districts into larger and more professionalized agencies (Berry, 2005; Howell, 2005). Within larger, more diverse districts, policymakers and community leaders are more apt to address equity since district-wide performance potentially impacts a wider range of racially and economically diverse students (Bischoff, 2008; Clotfelter, 2004; Frankenberg, 2009; Holme & Finnigan, 2013). More recently, several school districts with increasingly diverse student populations have pursued reorganization in the opposite direction with the intent of becoming smaller and/or more localized through fragmentation and decentralization (EdBuild, 2017; Spencer, 2014). Little is known, however, about the impact of current school district reorganization efforts in the U.S. Mountain West<sup>2</sup>, where district populations have shifted dramatically to reflect increasing racial, socioeconomic, and linguistic diversity (Horsford, 2016; Teixeira, 2012).

In 2015, the Nevada Legislature attempted to fragment the fifth largest district in the U.S., the Clark County School District (CCSD), into smaller school districts. However, breaking up CCSD into smaller districts proved too difficult. Many argued that this difficulty was due to economic constraints such as insufficient funding for capital outlay. Others argued that breaking up the district into racially and economically identifiable districts might lead to federal lawsuits (Whitaker, 2016a). Nonetheless, policymakers agreed to reorganize CCSD through decentralization rather than fragmentation. The goal of the CCSD decentralization is to shift power from central office staff to school leaders and school advisory teams comprised of principals, parents, teachers, support staff, students (at the secondary level), and community members. Similar to fragmentation, supporters of decentralization argued that this type of reorganization provides local communities with more engagement in schools as well as increased flexibility regarding budgetary and policy

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<sup>1</sup> School district consolidation includes the merging together of two or more districts, typically for economic and/or educational purposes. The fragmentation of school districts is the breaking apart of a larger school district into smaller school districts. School district decentralization involves shifting decision-making from a district's central administration to smaller decision-making entities such as schools (Saltman, 2010).

<sup>2</sup> Along with the state of Nevada, the U.S. Mountain West is comprised of Arizona, Colorado, Idaho, Montana, New Mexico, Utah, and Wyoming (U.S. Census, 2015).

decisions (CCSD, 2016a). An amended bipartisan version of the reorganization bill was signed into law by Nevada's governor on May 8, 2017, specifically stating:

When more decision-making is transferred from central services in large school districts to the site-based administrators, teachers and other staff and the parents and legal guardians of pupils in each local school precinct, the State's system of public schools is better structured to educate efficiently, effectively and successfully the diverse and varied populations of pupils within large school districts because a site-based operational model encourages decision-making that is more innovative, proactive and responsive to the particularized, specialized or localized circumstances, needs and concerns of each local school precinct. (A.B. 469, 2017, pp. 5-6)

The intent of the reorganization, according to CCSD Superintendent Pat Skorkowsky, is to create a "method where local schools are empowered to drive student achievement" through greater autonomy (CCSD, 2017b). In a district that serves a majority of students of color and large populations of students considered low-income and English learners, we anticipate the reorganization events will impact racial, economic, and linguistic academic disparities. Moreover, knowing the process by which decisions are made and implemented around school district reorganization can provide significant insight for other states and districts considering or resisting similar efforts.

The purpose of this article is to provide a historical overview of the events leading up to the 2015 reorganization of CCSD. We take a critical perspective on Kingdon's (2011) multiple streams framework, which highlights the agenda-setting and policy formation processes through the identification and overlap of problems, politics, and policies. We situate our analysis of the reorganization efforts, focusing specifically on how the political context in Nevada and the power of the state legislature provided a window of opportunity for the reorganization to occur. We also examine the extent to which equitable educational opportunity was a factor in such efforts given the student population the district serves, the majority of whom are Latinx and low-income alongside a growing number of English learners (CCSD, 2016b). Our analysis of the reorganization of CCSD contributes to a wider understanding of state-level policy development within contemporary educational contexts. In this case, we find that state-level policymakers leveraged the opportunity to enact the power and authority necessary to significantly and rapidly impact the structure of one of the largest school districts in the United States. We conclude the article by discussing potential issues for CCSD to consider as the reorganization moves forward.

## The Evolution of School District Decentralization

In the 1980s, school district decentralization was a popular education reform effort. It occurred "in response to social pressures during the 1960s and 1970s" and "would enable groups heretofore excluded to be *in power*," resulting in better learning environments for children (Wissler & Ortiz, 1986, pp. 280-281, emphasis included). Indeed, at the 1989 Education Summit, President G. H. W. Bush and governors from across the country recommended school district decentralization as a way to improve schools, and by the end of the year 14 states participated in restructuring efforts (Wohlstetter & McCurdy, 1991). According to Wohlstetter and McCurdy (1991), school decentralization meant that districts transitioned authority from central offices to individual schools. As such, "decentralized schools alter the educational power structure by empowering school personnel, community groups, or both to make decisions about budgets, personnel, and programs" (Wohlstetter & McCurdy, 1991, p. 392).

School district decentralization often takes on two forms: administrative decentralization and community control. Administrative decentralization involves reorganizing school districts into smaller precincts, allowing them to make decisions previously made at the central office level. However, accountability for educational outcomes remain with the central office administration and boards of education (Wohlstetter & McCurdy, 1991). Conversely, in community control or local empowerment decentralization models, community groups make decisions for schools and are thus accountable to the community, not just boards of education or central office administration (Ornstein, 1983; Wohlstetter & McCurdy, 1991). Local empowerment models are more likely to occur when stakeholders outside of the district push to decentralize, while administrative decentralization tends to occur when those inside the district push for reform (Edwards & DeMatthews, 2014; Wohlstetter & McCurdy, 1991).

Wissler and Ortiz (1988) also characterize school decentralization by the actors involved in the process. The decision to implement school decentralization can be made internally by the district as a response to their school community stakeholders or externally, which is the case with CCSD, by policymakers such as “the state legislature mandating reform in the name of school improvement” (Wohlstetter & McCurdy, 1991, p. 394). Not surprisingly, the power school districts have over decentralization efforts is directly impacted by who is calling for the reform; power tends to get shifted outside of the district when external actors are leading the charge (Wohlstetter & McCurdy, 1991).

While decentralization efforts in the 1980s and 1990s (i.e., school-based management) did not result in significant gains in academic performance, it was revisited in the mid-2000s to accomplish this same endeavor and change the way we think about how schools operate (Hansen & Roza, 2005). Proponents argued that decentralization did not produce the desired change because principals were not given necessary control over resource allocation and budgets (Hansen & Roza, 2005). Indeed, according to Ouchi’s (2003) study of centralization and decentralization, one of the keys to achieving “true” decentralization is having entrepreneurial principals who also have control over budgetary decisions for their schools.

More recent decentralization efforts in urban areas include portfolio districts, in which power is shifted from school districts to educational contractors such as charter or educational management organizations and private or non-profit charter school operators (Saltman, 2010). According to Bulkley and Henig (2015), proponents of the portfolio district model “have positioned the model in opposition to traditional local districts that they see as overly bureaucratic, resistant to new ideas, and insufficiently dedicated to academic excellence and closing achievement gaps” (p. 55). Yet, the sustainability of portfolio districts depends on local civic capacity and a shared vision around education, available resources in local school communities, and the type of model that is utilized (Bulkley, 2014; Bulkley & Henig, 2015).

Portfolio districts merge four types of restructuring efforts—decentralization, expansion of charter schools, school closures replaced with charter schools, and accountability—into one model. Schools in portfolio districts are assessed based on their academic performance—student test scores—and can be closed and reconstituted as charter schools if required benchmarks are not being met. Saltman (2010) provides a most appropriate analogy of how these districts function:

The portfolio approach draws on the metaphor of stock investment. The district superintendent is imagined as a stock investor who has a portfolio of investments (schools). The superintendent creates a portfolio of contractors and subsequently holds the investments that “perform” (in terms of student achievement) and ends the contracts (or sells) those investments that “don’t perform.” (p. 3)

Despite the limited and mixed research on the effects of portfolio districts in urban areas, they are rapidly growing across the country (Bulkley, 2014; Bulkley & Henig, 2015; Mathis & Welner, 2016). While these models were advanced to districts as a means to address inequitable resource allocation, poverty, and structural inequality (Mathis & Welner, 2016), schools continue to operate at disparate levels of funding and are highly segregated in terms of income, race, and language (Horsford, Sampson, & Forletta, 2013; Orfield & Frankenberg, 2014).

### **Conceptual Framework: Multiple Streams Meets Critical Policy Analysis**

We frame our analysis using two frameworks—multiple streams and critical policy analysis. Kingdon's (2011) multiple streams framework is centered on the assumption that three major streams—problems, policy, and politics—converge to create a window of opportunity that allows for policy production. We use this framework as a starting point to explore how the political context in Nevada was ripe for such a large scale educational reform given prior unsuccessful attempts to break-up the school district. In the subsections below, we explain the three streams in more depth. Also, in our findings we discuss these streams within the agenda-setting process for the CCSD reorganization and how they came together at the ideal time—window of opportunity—to move the reorganization forward (Kingdon, 2011).

Critical policy analysis (CPA), the second framework we employed in our analysis, is often used to “discover and/or question the complexity, subjectivity, and equity of policy as well as to illuminate intended and unintended consequences” surrounding the policy process (Diem, Young, Welton, Mansfield, & Lee, 2014). As critical qualitative researchers, we not only assume that policymaking is complex but, as Apple (2013) states, “None of this [policymaking] occurs on a level playing field” (p. 226). Thus, we used CPA to further explore the political and social complexities associated with the reorganization, particularly pertaining to educational equity. More specifically, by employing CPA, we critically interrogate policy development from a foundational perspective that acknowledges issues and influences of power and oppression in the policy process and outcomes (Diem & Young, 2015). Aligned with other CPA scholarship (Diem & Young), we are committed to the development of impactful research, and therefore, seek to use this work toward establishing more equitable policies and practices. In the sections that follow, we first describe each of the three streams that comprise the multiple streams framework, including the concepts of windows of opportunity and policy entrepreneurs, and then describe CPA in more detail, explaining how we apply CPA to shape our analysis of agenda setting and policy formation.

#### **Problems**

The problem stream in the MS framework is composed of the conditions that define a problem and make policymakers aware of said problems. Problems catch the attention of policymakers through changes in an indicator, a major event, or feedback (Kingdon, 2011; Zahariadis, 2007). Indicators help determine the depth of a problem as well as any changes in the problem. People can interpret indicators based on research or otherwise in ways that move them from a condition to an actual policy problem (Kingdon, 2011), sometimes letting their beliefs and values guide such decisions (Zahariadis, 2007). Major events can also draw our attention to conditions that are deemed as potential policy problems, particularly when the media or policy entrepreneurs create more visibility surrounding such events, increasing the likelihood for policymakers to consider these problems (Kingdon, 2011; Zahariadis, 2007).

Feedback, formally or informally, can also result in policymakers becoming more aware of specific problems. Formally, feedback can come from the administration and evaluation of programs determining effectiveness (Kingdon, 2011; Zahariadis, 2007). Informally, policymakers might hear

from constituents about individual problems in town hall or school board meetings, social media, or op-ed pieces in local newspapers (Kingdon, 2011).

### **Policies**

The policy stream is made up of a “soup of ideas” that move around in policy communities comprised of specialists in a particular policy area (Kingdon, 2011). Yet, not all ideas reach maturation. Issues related to technical feasibility, value acceptability, and implementation can impact the survival of policy proposals (Kingdon, 2011; Zahariadis, 2007). Moreover, policy constraints (e.g., budgetary costs and public acquiescence) must be anticipated if there is a chance for policymakers to approve policy proposals. As very few policy proposals arise from the policy stream, having alternative proposals readily available could increase the chances of a policy proposal being placed on the agenda (Kingdon, 2011).

### **Politics**

Kingdon (2011) contends that the political stream flows independently of the problem and policy streams. This stream consists of the public mood, group campaigns, and changes to the legislature or administration (Kingdon, 2011). Government officials pay close attention to the public mood by monitoring opinion polls and interest groups, which can then guide them in agenda setting decisions. When an administration turns over or the public mood shifts, policy agendas can flip and new issues can find a voice while previous issues may find themselves falling off the agenda altogether. Policy proposals can be brought to local city councils, school boards, state legislatures, or Congress and placed on the agenda over and over again but tend to gain traction when multiple factors converge to provide a window of opportunity for change.

### **Policy Windows and Entrepreneurs**

According to Kingdon (2011), “Basically, a window opens because of change in the political stream; or it opens because a new problem captures the attention of government officials and those close to them” (p. 168). Policy windows open at critical junctures when the three streams—problems, policies, and politics—converge. They do not stay open very long and stakeholders must take full advantage of such windows of opportunity upon their arrival. Windows open in policy systems when an event takes place and those in the legislature and administration have the same agenda in terms of their support or opposition to such an event, which then allows them to act accordingly. For example, when a political party controls the presidency, house, and senate, they can band together to pass legislation in a relatively easy manner that supports their agendas.

Policy entrepreneurs are key in helping couple the problem, policy, and political streams into a single package when policy windows present themselves. “They must be able to attach problems to their solutions and find politicians receptive to their ideas,” “have greater access to policy makers,” “employ manipulating strategies to accomplish their goal of coupling the three streams,” and are more likely to push their proposals forward if they have more resources (Zahariadis, 2007, p. 74). Policy entrepreneurs must be ready for the policy window to open and be persistent in gaining support for the policy proposed if they wish to be successful in their endeavors.

### **Thinking Critically About Multiple Streams**

The MS framework has been criticized for its rational conceptualization of the problem, policy, and political streams as working independently from each other and only interacting when a policy window opens. Critics argue that the streams are actually interdependent and that more attention needs to be paid to the climate around a policy issue (i.e., how policy actors feel and think about an issue) as it plays a critical role in shaping public policy (Zahariadis, 2007, 2015). As critical

scholars, we agree with the notion of interdependency, the importance of focusing more attention to the climate around policy and politics, and also recognizing policymakers' inability for rational decision-making, particularly in the current policy making context that has become increasingly complex and politically charged (Zohlnhöfer, Herweg, & Rüb, 2015). Indeed, one would not be able to understand how a policy proposal gets placed at the top of the agenda without examining the confluence of all three streams, the actors involved in each, *and* the sociopolitical context (Diem, 2012).

Critical policy researchers are interested in the aforementioned issues as they seek to illustrate the myriad of complexities within policy contexts (Weaver-Hightower, 2008). Scholars that utilize critical approaches to the research tend to focus on five concerns: 1) the difference between policy rhetoric and practiced reality; 2) the roots and development of policies; 3) the distribution of power, resources, and knowledge (i.e., who gets what and why); 4) social stratification, inequality, and privilege; and 5) how nondominant groups resist and engage in policy efforts (Diem et al., 2014). Our research interests in the reorganization of CCSD fall across all of these concerns. As such, we feel marrying a Critical Policy Analysis (CPA) approach with the MS framework will assist us in making visible the various factors involved in the development of the legislation that triggered the reorganization of CCSD, the players and voices privileged in the process, and to what extent equity was a factor in reorganizing the district.

## Research Methods

In our qualitative case study (Merriam, 1998), we sought to examine the rationale and processes behind school district reorganization in the Clark County School District (CCSD). We utilized a case study design as it allowed us to analyze a particular phenomenon—school district reorganization—within a bounded context (Merriam, 1998). Focusing specifically on the events and stakeholders involved in the development of the CCSD school district reorganization policy helped us take a holistic view, which resulted in a comprehensive understanding and detailed description and analysis of the case. The following research questions guided our study: What contextual factors assisted in the development of a state-initiated policy requiring school district reorganization? What types of roles did stakeholders involved in the policy development process engage in that resulted in school district reorganization? What role did educational equity play in the development of a school district reorganization policy?

### Case Selection

We selected CCSD in Nevada—the fifth largest school district in the United States—to serve as our case study site as efforts were underway to significantly reorganize the district. CCSD has undergone rapid population growth in recent years, which has directly impacted the district's operational capacity. The district has dealt with challenges such as severe overcrowding, chronic teacher shortages, and balancing the need to build new schools while maintaining aging schools on a limited budget (Morton, 2016b). Most teacher shortages occur in schools that are relatively low-performing according to academic measures and serve high percentages of low-income students (Westervelt, 2015). The state of Nevada has consistently ranked among the lowest in the country in education, due in part to low per pupil spending (Milliard, 2014). CCSD has also been resegregating since the early 1990s as a result of the end of court-ordered and voluntary desegregation efforts (Horsford, Sampson, & Forletta, 2013; Sampson, 2017). Currently, students of color and students considered low-income and English learners experience significant levels of isolation within the district (Guinn Center for Policy Priorities, 2015). During the 2013-14 school year, 74% of Latinx, and 69% of African American students attended schools with more than 57% students of color, and



49% of Latinx and 40% of African American students attended schools with 75% or greater students of color (Guinn Center for Policy Priorities, 2015). This study provides a rare opportunity to explore the phenomenon of reorganization in a district facing significant fiscal and operational challenges at its point of design and implementation, which will allow us to capture important components of the decision-making process as they occur.

### **Data Collection and Analysis**

Case study data collection provides the opportunity to employ multiple sources of evidence. As such, we are able to provide rich and descriptive data revealing the complexity involved within the selected case site (Merriam, 1998). This article focuses on our initial efforts to examine CCSD's context and the events that led up to the district's reorganization, laying the groundwork for our future empirical research. For this part of the study, we collected federal, state, and local data sources, including data from the Nevada Department of Education, the Nevada State Legislature, CCSD, and national and local media outlets. Specifically, we collected student demographic information and information concerning district operations and governance structures from the Nevada Department of Education and CCSD websites. We also collected current and historical policy documents including legislation, bills, study reports, and meeting materials (i.e., agendas, minutes, video, audio) from the Nevada State Legislature, local governance (i.e., city, county), and policy and research center websites. We set-up daily Google alerts using the search terms, "Clark County School District," "CCSD," and "Clark County School District breakup" to help us identify and collect any news regarding the CCSD reorganization from national and local media outlets. News articles often pointed us to other official documents that we collected, such as the governor's speech or particular meeting minutes. We also collected archival news articles concerning previous attempts to reorganize CCSD so we could better understand the history behind the current reorganization efforts and contextualize our study (Horsford & D'Amico, 2015). While many of these documents were publically available, we issued formal requests to retrieve some documents unavailable online, such as a town hall meeting videos and some historical documents from the Nevada State Legislature. We transcribed relevant meeting video and/or audio excerpts to analyze with the other documents.

To analyze these documents, we created a timeline of events beginning with the first attempt to reorganize CCSD. While we used information from historical reorganization attempts for contextual purposes (Horsford & D'Amico, 2015), we focused largely on the 2015 efforts as they were the first that proved successful. For each event, we analyzed all documented efforts and responses related to the 2015 reorganization. We also developed a table of key actors involved in the most recent reorganization, which helped us explore the developing narrative among proponents and opponents of the proposed policy changes. In line with CPA, we paid particular attention to whether and how issues of equity were discussed, and the demographic backgrounds of stakeholders that participated in efforts for or against the reorganization and where they stood on issues (Diem et al., 2014; Diem & Young, 2015). We checked and re-checked our findings to confirm the data collected and that our interpretations and conclusions drawn from the data were well-informed (Miles & Huberman, 1994). In the following section, we provide a historical context of CCSD, including demographic changes and population growth in the district, recent state and district financial challenges, and historic attempts to break-up the district.

### **Background and Context of Nevada and Clark County**

Unlike many other metropolitan areas that have several school districts, the Las Vegas metro in Nevada is home to only one—the Clark County School District (CCSD). Consolidated in 1956,

CCSD began with a total of 14 schools (CCSD, 2015; “Scaling back,” 2015). CCSD, along with Nevada’s 16 other school districts, correspond geographically with county boundaries. There are 11 townships within Clark County, including Las Vegas, North Las Vegas, Henderson, Mesquite, and Laughlin (Clark County Nevada, 2016). Nevada’s extraordinary growth throughout the 1990s and 2000s paved the way for CCSD to become the fifth largest school district in the United States (CCSD, 2016a). In 2015, CCSD enrolled close to 320,000 students and employed more than 18,000 teachers and 900 administrators (NDE, 2016).

While Nevada was the fastest-growing state from 1986-2006, Clark County soared just as quickly. From 1980 to 2013, Clark County’s population increased by about 168% from over 750,000 to 2.028 million residents (U.S. Census, 2017). As for CCSD, student enrollment was only about 95,000 in 1986, over 200% less than its current student population (NCES, 1988; NDE 2016). To meet the growing population demands, CCSD built schools at an alarming rate. For instance, between 1990 and 2010, CCSD opened 217 schools (CCSD, 2013). As of the 2015-16 school year, there are 356 schools in the district (CCSD, 2015).

### Demographic Changes

Amid the increase in student enrollment, CCSD schools have also changed demographically. The first phase of these changes occurred in the 1960s with an influx of African Americans from the Southern region of the United States. Following this migration, CCSD elementary schools were *de facto* segregated by race until the district was required to implement a mandatory desegregation plan in 1972 (*Kelly v. Guinn*, 1972). This plan remained intact until 1992 during which time it was reverted to a voluntary desegregation plan (Horsford, Sampson, & Forletta, 2013; Sampson, 2017).

The second phase of changes came in the 1990s and 2000s with a large increase in Latinx students, causing CCSD to shift into a “majority-minority” school district in 2001. This meant that the enrollment of students of color in CCSD outnumbered that of White students (Horsford, Sampson, & Forletta, 2013). By 2009, the once historically African American community that included six racially segregated elementary schools transformed into nine elementary schools segregated by race, income, and language with a student enrollment that was almost 50% Latinx and 33% English learners (Terriquez, Flashman, Schuler-Brown, & Orfield, 2009).

In 2016, Latinx students comprised slightly over 45% of the student population, followed by 26% White, 13% Black, 8% Asian/Pacific Islander, 6% two or more races, and 0.4% American-Indian/Alaskan Native (NDE, 2016). More than half (56%) of CCSD students were eligible for free-and/or reduced lunch, 19% were identified as English learners, and 11% had Individual Education Plans (NDE, 2016).

### Finances

Despite Nevada’s continued growth, the Great Recession of 2008 had a deep impact on the state in terms of both its population and economy. Population growth slowed to about 5% from 2010 to 2014 (U.S. Census Bureau, 2015) and Nevada ranked among the highest, relative to other U.S. states, in home foreclosures and unemployment (Robison, 2010, 2014). The recession also negatively impacted tourism, Nevada’s top industry (Kennelly, 2013). Indeed, the Las Vegas Conventions and Visitors Authority (2017) reported close to 3 million less visitors than before the recession started, not reaching previous levels until 2011. Taxable retail sales also saw a sharp decline during this period, charting a -26% difference, or a loss of almost 1 billion taxable dollars (Nevada Department of Taxation, 2017).

With close to 50% of the state’s school funding derived from local sales taxes and another 20% from property taxes (Chambers et al., 2012), Nevada’s economic downturn translated into large budget cuts to education. The downturn was further compounded by a legislative dictate

transferring new room tax dollars, intended as supplemental income to increase student achievement, to the general school funding account (Nevada State Legislature, [NSL], 2015a). In the 2015-16 school year, Nevada ranked the lowest of far west region states in per pupil expenditures at \$9,321, and considerably less than the U.S. average of \$11,943 (NEA, 2016). In CCSD, the 2008 recession translated into decreased resources and slightly larger student enrollment. From the 2009-10 to the 2012-13 school year, CCSD's total revenue fell over 5% and total expenditures dropped 14.5% (CCSD, 2013, 2014). Simultaneously, the district grew slightly in student enrollment by 0.5% (CCSD, 2013, 2014).

Nevada provides state funding based on *The Nevada Plan*, developed in 1967 and prior to the state's extreme growth when the population was fairly homogenous (Chambers et al., 2012; NSL, 2015a). By not providing additional funding for capital outlay (i.e., buildings) or for unique student needs, this plan failed to account for increasingly diverse student enrollment and any corresponding needs that coupled the growth. Instead, *The Nevada Plan* requires a majority vote among local residents for school districts to secure local financing needed for building schools (Chambers et al., 2012). Furthermore, funds targeting student attributes such as income and language ability designed to help address educational disparities were essentially nonexistent. For example, until 2013, Nevada was one of only eight states that did not provide additional monies for English learner students (Sampson & Horsford, 2015). Although CCSD serves the state's largest and most diverse student population, under *The Nevada Plan*, CCSD's state-allocated dollars have often been sizably less than Nevada's other 16 school districts, even when accounting for adjustments due to diseconomies of scale that arise for small, rural districts (Lukemeyer, Wang, & Sampson, 2015; Chambers et al., 2012).

### **Historical Attempts to Break-Up CCSD**

In 1956, Nevada went from having 173 elementary school districts and 35 high school districts to 17 school districts (Guthrie et al., 1996). The reconfiguration that resulted in only 17 school districts geographically aligned these districts with county zoning areas which largely extend beyond city and township boundaries (Nevada Legislative Counsel Bureau, 1997). The Nevada legislature made four failed attempts—1975, 1977, 1979, 1993—introducing bills intended to deconsolidate the state's school districts (Nevada Legislative Counsel Bureau, 1997). In 1995, the Nevada Legislature approved funding for a consultant to conduct a study examining the possibility of reorganizing Nevada's school districts (Nevada Legislative Counsel Bureau, 1997). By that time, student enrollment in Nevada's schools had increased from 43,578 in 1957 to more than 265,000—an over 500% increase (Nevada Legislative Counsel Bureau, 1997).

As part of the 69<sup>th</sup> Nevada Legislative session, a study was conducted to examine reconfiguring the structures of school districts across the state (Nevada Legislative Counsel Bureau, 1997). While part of the rationale for this study came from concerns about the insufficient funds for rural school districts, other concerns centered on the relatively extensive growth and population that CCSD served. As a response to a growing and increasingly diverse student enrollment, the study's authors asserted that these vast changes created uncertainty. Yet, related to this study, authors pointed to decentralization as a viable option. They explained, "The logic argues that multiple and smaller decision units have a better chance of productively coping with the unexpected, and divining useful solutions, than does central authority which acts slowly and perhaps rigidly" (Guthrie et al., 1996, pp. 80/88). Completed in 1996, the report included 34 recommendations of which eight were adopted:

1. Provide a process for realigning school districts, initiated by a local school district or by voter petition;
2. Provide for the establishment of charter schools;
3. Provide for a statewide technology plan for education;
4. Establish an interim legislative study to review state participation in the financing of school construction;
5. Remove the sunset on Nevada's program for school-based decision-making within public schools;
6. Urge school district board trustees to establish advisory councils;
7. Encourage cooperative agreements among school districts to share resources, as well as agreements for student attendance in adjoining districts, when required; and
8. Urge school districts to make use of short-term financing for the purchase of computer equipment. (Guthrie et al., 1996, pp. 2/10)

The report highlighted a number of significant issues with reorganizing Nevada's school districts. In terms of CCSD, the report acknowledged the district's relatively immense student population, challenges with democratic responsiveness, and management-related inefficiencies. The authors identified four viable solutions to address CCSD's issues—changes to school-based management, more school board members, expansion of charter schools, and creating eight school districts. However, the authors also warned that developing smaller districts could result in financial challenges due to the district's reliance on tax revenue raised from hotels and casinos. Additionally, the authors were even more concerned with the “difficult[y] to balance districts on the basis of race and provide adequate school capacity” (Guthrie et al., 1996, p. 64/73), highlighting the likelihood of a lawsuit if changes in district boundaries contributed to racial segregation (Guthrie et al., 1996, p. 85/93).

After deliberating over the recommendations in the report and public testimony, the legislative subcommittee decided against realigning the district. Instead, subcommittee members voted to recommend a statute to allow a majority vote from a school board or a voter petition to bring forth a plan to the State Board of Education, whom would be able to forward recommendations for the Legislature to approve (NSL, 1996). The Legislature did not adopt this recommendation (Guinn Center for Policy Priorities, 2015).

A 2000 deconsolidation effort by Republicans was criticized by the CCSD school board and then-Las Vegas Mayor Oscar Goodman, who said that to break up the district would cause “a terrible rift between rich and poor” (Whitaker, 2015, para. 6). While another bill seeking deconsolidation in 2008 failed (Superville, 2015), the more affluent City of Henderson made several attempts, spanning many years, to create its own autonomous district (Whaley, 2015).

### **Findings: School District Reorganization in Clark County**

After years of failed efforts to deconsolidate CCSD, largely due to financial constraints and the potential of extreme racial and economic segregation between districts, the Nevada Legislature passed legislation to restructure the district, originally with the intent of fragmentation but instead evolving to decentralization. In the following sections, we examine the key dimensions that provided an avenue for the reorganization to occur, including the political context in Nevada, the role of the state legislature, and the extent to which equitable educational opportunity factored into the policy process. Despite opposition by some stakeholders, including CCSD, a Republican-controlled

legislature was able to quickly move the bill through to law, and gain support from what some may consider strange bedfellows, those stakeholders typically not aligned with the Republican Party's legislative agenda, along the way.

### **Reorganization Takes Shape**

On January 15, 2015, Nevada Governor Brian Sandoval, the state's first Latinx governor, made it clear in his State of the State Address that he would support legislation to change school district governance and funding structures in the spirit of "new ideas" and "modernization" (NSL, 2015b, p. 4). Sandoval also stated that some of Nevada's school districts were either too big or too small, and some were "disconnected from their communities" (NSL, 2015b, p. 6). In response, he declared his "support [for] legislation to provide for the appointment of members of local school boards" (NSL, 2015b, p. 6). Finally, Sandoval stated that he would "introduce legislation that allows local governments to create smaller school districts in our urban counties, and consolidate school districts in our rural counties" (NSL, 2015b, p. 6).

Within a few months of Sandoval's address, Jacob Snow, City Manager of the City of Henderson, put forth Resolution No. 4177 to the Henderson City Council entitled, "A resolution of the city council of the City of Henderson, Nevada, supporting that portion of Governor Brian Sandoval's education plan which includes introducing legislation that allows local governments to create smaller school districts in urban counties" (City of Henderson, 2015). Snow outlined the rationale to support this part of Sandoval's plan in the following statement:

The City of Henderson has enjoyed some of the best public schools and private schools in the state. And it is certainly a challenge for the Clark County School District which is the nation's fifth largest school district with over 315,000 students enrolled as of 2014 to continue to expand and to provide schools. And we have schools that are very, very crowded in Henderson. And it is key to our economic development strategy to produce an educated workforce that will attract the type of businesses that will provide high value jobs that will contribute significantly to our economy. Also, it is very important to continue to maintain good schools so that we can attract employees for those businesses to come live in Southern Nevada in the City of Henderson. (City of Henderson, 2015)

The resolution passed unanimously after just four minutes of discussion.

Less than 20 days later, nine Republican members of the State Assembly submitted A.B. 394 to the Assembly Committee on Education (NSL, 2015c). Republicans made up eight of the 14 members of this committee, including both the chair and vice chair. Freshman state Assemblyman David Gardner, a Republican representative of the Henderson area, introduced A.B. 394 at a hearing. This bill proposed to allow governing bodies of municipalities within countywide systems to voluntarily break away and create small local districts, as well as allowing smaller contiguous districts to consolidate. The hearing lasted about two and a half hours. Of the 12 testimonies, only four were in support of the bill, including Assemblyman Silberkraus, who represented large areas in the City of Henderson; governor-appointed State Superintendent Dale Erquiaga; a charter school principal; and a research center housed within a state university. Reasons in favor of the bill included gaining local control of schools, potential to increase academic outcomes in smaller school districts, and increased competition among districts within one metropolitan area (NSL, 2015c). Those opposing the bill included Assemblywoman Neal, the only Black woman in the Assembly who represented an area of Las Vegas that had a history of being racially segregated (Horsford, Sampson, & Forletta, 2013). Neal expressed concerns about who would be liable for issues of educational equity, adequacy, and

desegregation. Additionally, CCSD Superintendent Pat Skorkowsky opposed the bill, pointing to the possibilities of litigation sparked by racial and economic inequalities and urged the committee to do what is best for students rather than politics. Several testimonies highlighted the City of Henderson's support for this bill. Many of the speakers expressed the importance of studying what deconsolidation would mean for CCSD. In his closing comments, Gardner (2015) stated that previous studies done in conjunction with attempts to change Nevada's school districts resulted in "nothing" with "the situation [getting] worse" (NSL, 2015c, p. 42). Finally, he emphasized the need to have more competition, highlighting CCSD's declining achievement and standards, explaining, "The goal of this bill is improving education that has been getting worse for years" (NSL, 2015c, p. 42).

Approximately one month later, on April 10, 2015, and with little explanation, the Assembly Committee on Education unanimously passed the motion to amend A.B. 394. The amendment, significantly different than the original bill, called for "a nine-member committee to study creating at least five local school precincts within the Clark County School District before the 2017-2018 school year" (NSL, 2015d, p. 4). In other words, the ability for CCSD to voluntarily reorganize no longer existed. Instead, if the bill passed, reorganization would be mandated solely for CCSD. Additionally, the legislative minutes of this meeting revealed that two Democratic committee members worked with Assemblyman Gardner to develop the amendments for A.B. 394.

The amended bill was submitted to the Assembly Committee on Ways and Means, a committee representing a Republican majority (eight of the 14 members), including the chair and vice chair, for a hearing. While much of the approximately 80-minute hearing focused on the possibilities of conducting a study, including logistics, costs, and approval for consultants, 12 non-committee individuals testified, 11 of whom were in opposition and/or had major concerns with the bill. Most of the opposition came from representatives of unions, district administration, and a privately funded, bipartisan policy research center, along with two teachers. These individuals' concerns centered largely on potential negative impacts to budgets, teacher/administrative contracts, diversity, and equity. The same charter school principal who initially testified in support of the bill testified in support again during this hearing, pointing to the failing schools in CCSD and emphasizing that "Deconsolidation of the district would allow schools to thrive and produce an educated workforce to attract business and industry" (NSL, 2015e, p. 20).

Nearing the end of the 2015 legislative session, Assemblyman Gardner proposed another set of amendments to A.B. 394 that clarified deadlines, union negotiations, and the legislative oversight committees. A chief concern from committee members was the relatively quick implementation of a mandated reorganization without another round of legislative approval. In response, Gardner explained that he "did not want to wait until the 2017 Session, because the bill could be easily killed, and some groups refused to negotiate. Those groups would do everything possible to kill the bill" (NSL, 2015f, pp. 37-38). Pushing back, two Democratic members vowed their support but emphasized the need to allow the 2017 Legislature to make the final approval. One member explained that past efforts to break up CCSD followed studies revealing significant problems, which resulted in previous bills dying even under Republican leadership. The next day, CCSD's lobbyist reiterated concerns outlined in a letter by the bond and disclosure counsel, warning that breaking up CCSD would significantly impact precincts' abilities to secure bonds for building or renovating schools.

During the last day of the legislative session, the Assembly Committee on Ways and Means heard and passed final amendments to A.B. 394. The amendments consisted of two major changes. First, that implementation regulations, adopted by the State Board of Education, would need approval from the Legislative Commission, an interim committee of the legislature, to provide what

Assemblywoman Kirkpatrick described as a “backstop” (NSL, 2015g, p. 30). Second, the implementation date was pushed back to “not later than 2018-2019” (NSL, 2015g, p. 30) rather than 2017-18.

On the same day, during the final hours of the session, A.B. 394 was voted in by the Assembly with 35 Yeas, five Nays, and two Excused, and in the Senate with 13 Yeas, seven Nays, and one Excused. Among both the Assembly and Senate, nine of 12 members who voted against the bill were of Black or Latinx descent, representing largely Latinx and Black constituents residing in CCSD, and all 12 were Democrats. Still, a number of Democrats voted for the bill. Yet, one of the opposing representatives, Senator Ford, a Black official from the Las Vegas area, expressed his disdain with how this bill was passed. Requesting his Senate floor comments directed at the Speaker be included in the legislative archives, Ford stated the following:

Mr. President, we were just forced to vote on Assembly Bill No. 394, a bill that was introduced at the back of the bar to break up the Clark County School District (CCSD). We were not given an opportunity to debate this issue. There are several issues that need to be addressed related to equity in the schools, the bond rating of CCSD, as well as equity among diverse populations in our district. It is problematic. I understand we are up against the clock, but you cannot, at this hour, put forth such legislation that is going to negatively affect the people of our communities without giving us an opportunity to address the issues. Shame on you. (NSL, 2015h, pp. 656)

This comment was soon followed by Senator Spearman, a Black woman representing the Las Vegas area, who declared, “I spent 29.5 years of my life serving this Country so that we can preserve democracy, and this is a mockery” (NSL, 2015h, p. 657).

Governor Sandoval signed the legislation in June 2015, giving the district until the 2018-19 school year to implement the changes (Morton, 2015). A.B. 394 spurred the creation of a nine-member Legislative Advisory Committee and a multi-stakeholder appointed Technical Advisory Committee tasked with creating a plan to reorganize CCSD (A.B. 394). Even though CCSD Superintendent Pat Skorkowsky proposed a plan to restructure the district, the committees hired a consultant/expert in school reorganization to develop a different plan for CCSD’s reorganization, to be approved by the full legislature during the 2017 session (Ley, 2015; Morton, 2015).

The consultant, Michael Strembitsky, a former Canadian Superintendent, proposed an “empowerment” model for district administration in which control is devolved to individual school principals—while in turn demanding more accountability from them—while the role of central administration be minimized (Morton, 2016c). The plan aimed to decentralize power, creating 25 individual school precincts overseen by Associate Superintendents. Additionally, individual school principals, in conjunction with a School Organizational Team (SOT) composed of school administration, teachers, staff, and parents, would gain direct control over 80% of their funds, based on a weighted formula that accounts for student enrollment and special student needs. Principals would also have authority around their operational budget, personnel decisions, and can purchase needed services from central administration (Rindels, 2016).

During the planning process, the timeline for reorganization was decreased by a year, changing from a targeted implementation date of 2018-19 school year to the 2017-18 school year (Morton, 2016d). A.B. 394 required representatives including Clark County Commissioners, to host eight Town Hall meetings to provide the public a chance to voice their opinions (two more meetings than required by the legislative committee).

## **Reorganization Faces Opposition**

The reorganization has been met with opposition from some unions, parents, and CCSD officials. Linda Young, CCSD Board Vice President and the only person of color on the board during this time, and other minority rights groups called the reorganization racist and an opportunity to segregate areas of the district that have high concentrations of students of color and students who live in poverty from more White and affluent areas of the county (Morton, 2016a, 2016e). The American Civil Liberties Union (ACLU) of Nevada relayed this concern in writing to the Legislative Advisory Committee (Story, 2016). Some expressed concern that the reorganization would hinder the district's ability to borrow up to \$4 billion to build new schools needed to relieve overcrowding (Morton, 2015). Parents of English learners and students with special needs criticized the plan for not making mention of how students who need specialized programming would be affected (Morton, 2016d). Additionally, given the district's high mobility rate, some expressed concern about the plan's impact on students who move between schools. On August 3, 2016, the CCSD Board of Trustees approved a position officially expressing their concern with "significant educational, financial, and legal issues with the reorganization (including preventing Superintendent Pat Skorkowsky from attending town hall meetings)" (Morton, 2016e).

## **Despite Opposition Reorganization Moves Forward**

Strembitsky's reorganization plan was unanimously endorsed by the Legislative Advisory Committee. After creating the required state regulations needed to carry out A.B. 394, the State Board of Education unanimously voted to approve all measures on September 1, 2016, quickly followed by an anticipated unanimous affirmative vote by the Legislative Commission on September 9, 2016 (Rindels, 2016; Whitaker, 2016b). These votes solidified that change would undeniably happen, and keyed the next steps of the reorganization.

On October 18, 2016, another reorganization entity was created by the Legislative Advisory Committee called the Community Implementation Council (CIC) (Pak-Harvey, 2016a). The CIC, pitched and chaired by a former casino Chief Financial Officer, Glenn Christenson, represented a variety of community interests, including business, teachers, CCSD Trustees, State Board of Education, NPOs, and Charter Schools. This council oversaw a consultant, TSC<sup>2</sup> Group, also approved by the Legislative Advisory Committee. The CIC and TSC<sup>2</sup> Group were tasked with helping the district implement the reorganization, namely the formation of the SOTs and the transformation of the district's budget and allocation system.

Inflaming already tense relations, and unlike the \$150,000 cost of the previously hired consultant and architect of the new district model that was incurred by the State, the State Legislature approved the CIC chosen consultant's bill to CCSD for up to \$1.2 million. In response to escalating factors—namely the quick passing of state regulations, the official timeline shortening by one year, and getting billed for TSC<sup>2</sup>—on November 9, 2016, the CCSD Board of Trustees sent a formal petition to the State Board of Education highlighting eight points questioning the validity of the reorganization regulations and plan. Still continuing with the reorganization, two days after the letter from the board, CCSD announced 16 new Associate Superintendents of the performance zones (Pak-Harvey, 2016b). Less than a month later, the CCSD Board of Trustees received a letter from the Legislative Advisory Committee's Chairman, Michael Roberson, requesting the trustees comply with the reorganization due to actions seen as attempts to delay the process by different means, including but not limited to their attempts at blocking the superintendent from effectively working on the implementation (Pak-Harvey, 2016c).

As contentions increased, the CIC and TSC<sup>2</sup> Group released a report on the status of the reorganization and pending considerations (Pak-Harvey, 2016d). This report addressed the need for



a weighted funding formula and upgrades to the district's financial technology in order to expedite the transition toward decentralization. Furthermore, the report noted the services to be separated from central office still needed to be determined. This report also highlighted some difficulties working with CCSD Trustees, and that much of the Superintendent's time was spent responding to texts and emails from staff and trustees.

Shortly after the report was released, and without communication or satisfactory resolution to previous complaint, the CCSD Board of Trustees along with the Superintendent, filed an official court complaint alleging state statutes as well as the Nevada Constitution were violated by the State Board of Education in the manner the regulations for A.B. 394 were adopted. In December 2016, this complaint turned into a lawsuit seeking an injunction (Pak-Harvey & Delaney, 2016). In February 2017, the Attorney General of Nevada, representing the State Board of Education, filed an opposition lawsuit. Several days later, the Legislature joined the Attorney General's lawsuit pointing out the Trustees' own violation of open meeting laws. In response, the Trustees dropped their original lawsuit over the mandated reorganization and then refiled it after voting during a public board meeting (Pak-Harvey, 2017a).

To address the Board's lawsuit, the 2017 Nevada State Legislature passed a bipartisan bill, A.B. 469, establishing regulations to require CCSD's compliance to the reorganization (Whaley, 2017). The bill moved through the Legislature quickly, receiving almost unanimous support in both the Assembly and Senate. Shortly after Governor Sandoval signed the bill into law, the CCSD Trustees dropped their lawsuit, stating, "The passage of A.B. 469 resolves some of the legal concerns that we had about the reorganization of the Clark County School District. ... We will continue to work with legislators and the State Board of Education to make any adjustments necessary in the best interests of our students and staff" (CCSD, 2017a). While a last minute bipartisan bill to delay the reorganization and reduce the funding controlled at the school-level was introduced in the final week of the 2017 legislative session (Gonzalez, 2017), no action was taken and the reorganization of CCSD was set to fully commence in the 2017-18 school year.

## **Discussion**

The Nevada legislation requiring CCSD to reorganize, paving the way for districtwide decentralization, has been met with support and opposition among various stakeholders. For a district like CCSD, operating as a countywide district for over 60 years and representing a diverse group of stakeholders, it is not surprising that prior efforts have been made to deconsolidate the district so that townships could have more control over their local community's schools. Yet, these efforts were consistently thwarted until 2015. Why was the reorganization able to gain a foothold during this recent legislative effort and gain support from both sides of the political aisle? To answer this question and explicate the policy processes that impacted the setting of the CCSD reorganization agenda and how it was able to occur at this particular moment, we revisit the multiple streams framework and complicate it through a critical policy analysis, identifying contextual factors that helped lead to a state-initiated policy requiring local school district reorganization.

### **Problems**

In order for a problem to be defined, Kingdon (2011) states that varying conditions need to exist that bring attention to an issue that can be identified as an actual problem. A number of existing conditions in CCSD, and the current education conditions in the state of Nevada in general, led policymakers to problematize the organizational structure of CCSD, define it as a problem, and thus advocate for its reorganization (Kingdon, 2011). While there had been numerous prior unsuccessful attempts to reorganize school districts in Nevada, namely CCSD, the 2015 Legislature

turned out to be different for supporters of school district reorganization. Nevada's Governor placed school district reorganization on his agenda for the session and supporters were quick to capitalize on it, citing district size, overcrowding of schools, and low academic outcomes as problems within CCSD as reasons to move forward with the process (NSL, 2015c; City of Henderson, 2015). What was noticeably missing from the discussion was the state's budget cuts to education, which has made it increasingly difficult for CCSD to provide the resources needed for its growing and increasingly diverse population. Moreover, while those opposing the legislation highlighted concerns around reorganization and the racial and economic inequities that could result from it, the repeated rhetoric around failing schools and the need for more competition among schools in the Las Vegas metropolitan area was ultimately deemed more important, brought to the attention of policymakers, and thus defined as the policy problem (Kingdon, 2011). The failure to talk about the complexities within the state of Nevada and Clark County writ large—population growth, changing demographics, financial challenges—and the belief that local control of schools will result in more “good” schools thus allowed for reorganization to take shape.

### **Policies**

As previously stated, the policy stream consists of a number of ideas that float around policy communities, yet very few ever make it on the policy agenda, particularly in their original form (Kingdon, 2011). Indeed, the current iteration of the legislation to reorganize the district looks very different than the one initially proposed, which would have allowed CCSD and other districts to voluntarily deconsolidate or consolidate. The final version of A.B. 394 created a mandate focused solely on the CCSD reorganization, regardless of whether the study required in the bill showed potentially negative effects. While the original intentions of A.B. 394 centered on CCSD fragmentation into smaller districts, the final plan aimed to decentralize the district largely due to feasibility issues (e.g., securing bonds for capital outlay).

Moreover, viewing the policy stream as interdependent with the problem and political streams (Zahariadis, 2007), and, as we note below in our discussion around politics, the reorganization proposal was a lot more likely to bubble up to the top of the agenda and ultimately become legislation while Republicans controlled both bodies of the Assembly and Senate as well as the Governorship when it was first introduced. Thus, the value acceptability of the legislation was very high, and interestingly not just by Republicans. The final version of the bill (A.B. 469) was supported almost unanimously by House and Senate Democrats. It is difficult to assess the technical feasibility of the reorganization toward decentralization as its implementation is just in the beginning stages. However, there is already concern that the School Organizational Teams (SOTs) are not equitable among all schools in terms of representation and knowledge around the specific responsibilities of the governing body (personal interview, May 23, 2017).

### **Politics**

The 2015 Nevada Legislative session operated under a Republican majority of both the Assembly, Senate, and Governorship, otherwise known as a trifecta (The Encyclopedia of American Politics, 2017). To be exact, Republicans made up 25 of the 42 members of the Assembly and 11 of the 21 Senators. Although a Republican governor has been in office since 1999, Democrats represented the majority in both the Senate and the Assembly for six consecutive years (since 2009) prior to the 2015 trifecta. Additionally, each of the committees that held hearings and voted on major versions of A.B. 394 reflected a Republican majority, including the chair and vice chair positions, whom are the individuals that make final decisions about what is placed on legislative agendas. Therefore, the shift in the political stream to Republicans holding both majority

representation and leadership in the state legislature, which Kingdon (2011) states can impact policy agendas and provide a window of opportunity, was significant in helping to pass A.B. 394.

The role that the City of Henderson played as an interest group advocating for A.B. 394 was another important factor in the political stream (Kingdon, 2011). Prior to the introduction of A.B. 394, locally elected officials of Henderson proactively illustrated their support by passing a resolution supporting the deconsolidation of CCSD. Assemblyman Gardner, the lead sponsor of the bill, represented a large portion of Henderson as did Assemblyman Silberkraus, who testified in support of this bill during the hearing in the Committee of Education. Both Gardner and Silberkraus were newly elected to the two-year terms during a non-Presidential election year in 2014. Even though they were incumbents during the 2016 elections, which included the presidential elections, neither representatives won. In fact, they both lost their seats to Democrats. However, the efforts they made to reorganize the district gained enough traction to garner sufficient support among varying political interests to place into law the reorganization bill.

### **Window of Opportunity and Policy Entrepreneurs**

The timing was ripe for the passage of A.B. 394 during 2015 Nevada State Legislature. Nevada was working its way out of an economic recession that convinced policymakers of the need to diversify economic development beyond tourism and gaming. Thus, the desire to improve Nevada's education system was among the most frequent pieces of rhetoric used to support A.B. 394. Other rationales included language highlighting the need for competition, efficiency, and responsiveness to communities. With the Governor declaring support during his State of the State address, Henderson officials quickly followed, taking the opportunity to publically name their support after several failed attempts in the past at similar measures. With new Republican representatives including some representing the City of Henderson, Republican leadership, and a Republican majority, opposition to A.B. 394 was dismissed.

Moreover, the policy entrepreneurs pushing this bill through the Legislature recognized the potential of an implementation plan getting derailed if the trifecta was dismantled during the following legislative session as it did in past years. In response, A.B. 394 was amended to include an implementation plan that had until the 2018-19 school year but could go into effect earlier, and more importantly, before the next legislative session. Also, the amendments changing the bill from a voluntary to a mandatory measure of reorganization and focusing only CCSD rather than all districts across the state were introduced toward the end of the legislative session. As a result, there was little opportunity to hear testimony on the mandate and implementation portions of the bill. Finally, in the last day of the session, the state Senate leadership ensured the bill was pushed to a vote without debate.

### **Critical Policy Analysis**

In taking a critical stance on the MS framework, we address the five concerns of critical approaches to policy analysis discussed earlier in this article (Diem et al., 2014). First, we recognize the gap between the *policy rhetoric and practiced reality* in how A.B. 394 was developed. The bill's rhetoric focused largely on being responsive to local communities and improving schools. In reality, however, this contradicted the state-level mandate that avoided a public debate reflecting local community input and arguably lacked evidence that this policy would improve schools in a district similar to CCSD. Second, an examination of the *roots and development* of A.B. 394 illustrate that the legislation was initiated and supported through partisan politics and wealthier stakeholders, specifically Republican representatives and the City of Henderson, a relatively affluent area in Clark County. Third, based on the language included in the legislation, *the distribution of power, resources, and knowledge (i.e., who gets what, when, and how)* should shift from district-level to school-level leadership.

Yet, given CCSD's current financial situation (Pak-Harvey, 2017b) and the relatively low and inadequate funding allocated for education across the state (NEA, 2016), as well as teacher shortages (Westervelt, 2015) and the hierarchical nature of the development of this policy, we question the extent to which school leadership will actually be able to enact the changes needed to improve academic outcomes. Similarly, the fourth concern of *social stratification, inequality, and privilege*, provokes us to consider how school-level authority and power will result in continuing, and perhaps even increasing disparities in areas such as race, income, and language. With the implementation of A.B. 394, school performance is designed to rely heavily on the leadership of principals and the SOTs. Therefore, similar to current issues with CCSD's teacher shortage (Westervelt, 2015), schools that are struggling will likely be least attractive for highly qualified principals. Moreover, families considered low-income and/or families of English learners might be less able to participate in SOTs due to constraints such as inflexible jobs, a lack of transportation, or not being fluent in English. These factors can result in disparate barriers toward improving schools that serve more students from communities that are marginalized. Finally, in exploring *how nondominant groups resist and engage in policy efforts*, we recognize how the opposition to A.B. 394 from nondominant groups, particularly those of Black and Latinx descent, were largely dismissed.

## Conclusion

The reorganization of CCSD has resurfaced previous debates over the intentions behind school district decentralization. Those in favor of school district decentralization point to its potential in improving school-community relations and input at the local level (Ornstein, 1983). They also argue that decentralization allows principals to have more control over budgets and resource allocations, which may lead to better learning environments and academic outcomes for students (Hansen & Roza, 2005; Wohlstetter & McCurdy, 1991). The reorganization of CCSD seeks to achieve all of these aforementioned goals *and* is backed by the Nevada Legislature, who successfully developed a bill providing more decision-making power to local schools and communities. The political context in Nevada was promising for such a bill to gain traction as both sides of the aisle were supportive of rethinking the governing structure and operational capacity of the state's largest school district.

While shifting authority to local schools and communities may certainly result in more community engagement and perhaps even better student academic outcomes, our analysis of the policy development of the CCSD reorganization reminds us about the interdependent nature of the problem, policy, and political streams *and* the actors involved in the policy process. It also illustrates a level of irrationality among policy entrepreneurs to push policies through with little opportunity for stakeholder input, debate, or research-based evidence that could result in a better policy outcome. Instead, policy entrepreneurs introduced a palatable bill as voluntary and statewide, which received significant opposition. Then they changed it significantly, from optional for all districts to a mandate focused on CCSD, ensuring that reorganization could occur without approval from the entire Nevada legislative body. Moreover, this mandate was largely unfunded, requiring CCSD to pay over \$1 million dollars in related consulting fees. Such top-down and narrowly focused policy mandates signifies an interesting power play that, as previously explained, seems to contradict efforts to shift power to school-level communities. Further research is needed to look at the implementation of the reorganization over time, how it will unfold across schools in the district, and how educational leaders respond to and participate in efforts to reorganize school districts. Future research should also explore the implementation and outcomes of the School Organizational Teams and thereby, the impact on the level of family engagement across schools within CCSD. If the goal

of the reorganization is to provide more decision-making power to local schools, we must uncover what this engagement looks like, how it may compare and contrast across schools, and it how impacts educational opportunities for underserved and disenfranchised groups.

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