

State Governance Models and Roles

The California Proposal in the National Context

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California in the Current State Policy Landscape

Education Commission of the States recently updated a 50-State Comparison on K-12 Governance, including information on the key policymaking roles in K-12 education policy, a summary of each role's powers and duties, and governance structures across states. This memo situates California's current and proposed governance structures in the current and historical state K-12 education governance landscapes.

California's Current Governance Structure

Eight other states have a governance model that resembles California's – the governor appoints the state board of education, and the chief state school officer is elected. California has maintained that general model for years, since before ECS began tracking the issue more than 40 years ago.

California's Proposal in the Current Landscape

A cabinet-level commissioner of education appointed by the governor. In 17 states and the District of Columbia, the governor or mayor appoints the chief state school officer.

An elected superintendent of public instruction who serves with a governor-appointed commissioner of education. We have not found this governance model in any other state, but many states have unique governance structures. We have identified states with both a cabinet-level secretary of education and a superintendent of public instruction.

- **Virginia.** The governor appoints both a cabinet-level secretary, who coordinates policy, and a superintendent, who runs the state education agency.
- **Massachusetts.** The governor appoints the cabinet-level secretary, but a governor-appointed board appoints the commissioner, who has administrative oversight of the SEA. The governor-appointed secretary has cross-cutting oversight of early education, K-12, and higher education.

Legislative appointments of State Board of Education members. The legislature appoints state board members in a handful of states. For example, **New York's** legislature elects all 17 Regents. In **South Carolina**, legislative delegations from each of the state's 16 judicial circuits appoint one board member each, and the governor

appoints one member. In **Tennessee**, the governor, the Speaker of the Senate, and the Speaker of the House each appoint three of nine district-based seats.

Unified administration of the state education agency and state board of education. A small number of states already do this.

- The **Illinois** State Board of Education is the state education agency. It is overseen by the state superintendent of education. There is no separate executive director of the state board.
- **Oregon** has a similar structure. The governor appoints the state board members as well as the Oregon Department of Education director, who manages the board's daily operations.

California's Proposal in Historical Context

Fifteen states have substantially changed their education governance models since ECS's first governance study in 1983. Almost all those changes shifted at least some control to the governor. Changes have been rare in the past decade.

States Shifting from Elected to Appointed Chiefs

Since the early 1990s, three states have moved from an elected to an appointed chief state school officer.

- In the 1990s, **Kentucky** transitioned from an elected superintendent to a commissioner appointed by a board that is in turn appointed by the governor.
- Legislation in **Oregon** ([S.B. 552](#)) substantially overhauled its governance system in 2011-2012, eliminating the role of elected chief state school officer and designating the governor as superintendent of public instruction. The governor appoints a deputy superintendent with oversight of the state education agency's day-to-day operations.
- **Indiana** [H.B. 1005](#) (2019) abolished the position of elected chief and established a governor-appointed secretary of education. The governor now appoints most of the board and the chief state school officer. The House Speaker and Senate President Pro Tem appoint one board member each, and the Secretary of Education serves ex officio as the eleventh member.

The Biggest Recent K-12 Governance Overhaul: Ohio

In addition to **Indiana**, only **Ohio** has substantially restructured the role of the chief state school officer in the past decade. In 2023, **Ohio** established a Department of

Education and Workforce, creating two divisions: the Division of Primary and Secondary Education and the Division of Career-Technical Education and Workforce Readiness.

- The legislation shifted the state's chief state school officer responsibilities from a superintendent of education to a governor-appointed director of the new department.
- The board-appointed superintendent remains, though with a smaller portfolio focused on areas like educator licensure, teacher evaluations, and teacher discipline.
- The overhaul was accomplished primarily through a budget bill (2023 [H.B. 33](#)).
- The 2025 budget bill ([H.B. 96](#)) restructured the state board by reducing its size, eliminating elected positions, and stipulating that all members would be appointed by the governor. These changes will be phased in as terms expire.

An Attempted Governance Overhaul Overturned by the Supreme Court: Wyoming

Wyoming's legislature overhauled its governance structure in 2013, only to have the state supreme court overturn the law a year later.

- In 2013, the state's legislature passed [Senate File 104](#), which transferred most administrative authority over the state's education agency from an elected Superintendent of Public Instruction to a governor-appointed Director of Education.
- The Wyoming Supreme Court [struck down](#) the law in 2014, finding that the constitution granted the superintendent the responsibility of "general supervision of the public schools" and that the legislature had impermissibly reduced the superintendent to "the role of general observer with limited and discrete powers and duties."

Proposed Governance Changes in Other States

Legislators have introduced bills to change education governance in several other states, but some of those proposals have not advanced.

Oklahoma

Oklahoma [HJR 1055](#) would create a state question that, if approved by voters, would change the selection process for the state superintendent of public instruction. The governor would appoint the superintendent from a short list of candidates proposed by the state board of education. Currently, the state superintendent is elected.

Texas

Legislation introduced in 2025 ([H.B. 2657](#)) proposed abolishing the Texas Education Agency and eliminating the position of commissioner of education. The proposal would have transferred the commissioner's duties to the state board of education, as well as eliminating the state's public school accountability and assessment systems.

Vermont

Vermont [H.179](#) (2025) would make the education commissioner accountable to the state board of education rather than the governor's office, essentially reversing changes to the state's governance structure enacted in 2012. [Act 98](#) (2012) had transitioned the state's chief state school officer from a commissioner appointed by the state board to a cabinet-level secretary of education appointed by the governor.

Research on the Impact of K-12 Governance

Research on the relationship between K-12 governance and student outcomes is scarce and dated. A 2013 [study](#) by Paul Manna examines the centralization of governance through political centralization, administrative centralization, and fiscal centralization. Political centralization relates to the locus of decision-making authority. Administrative centralization relates to "the degree to which a central authority develops and uses bureaucracies to carry out public policy." Fiscal centralization relates to the level of responsibility among the different levels of government for public revenue and expenditures.

Manna's findings show an association between more centralized political governance (as measured by the governor's appointment powers) and an improvement in achievement gaps (as measured by scores on the National Assessment of Educational Progress, or NAEP) [but not overall achievement](#). More centralized fiscal governance does not appear to have a substantive association with student outcomes and more centralized administrative governance is associated with mixed results in student outcomes. An [earlier article](#) by Manna also explores the influence of K-12 governance (based on the governor's appointment powers) on student outcomes (as measured by NAEP scores).

The impact of changes to K-12 governance might depend on states' specific policy contexts and may therefore be difficult to generalize across states.