HOOVER EDUCATION

The Human Authority Needed for Good Schools

Philip K. Howard

Good schools require, more than anything, genuine human engagement. Each student has a different aptitude and needs. Each teacher must have the autonomy to connect with students and to earn moral authority. Each principal must assert and enforce common values and standards that everyone knows and can trust.

A school's culture is the sum of these countless human judgments and interactions. An effective school will generally have a culture where students feel cared for and inspired to do their best, where teachers feel a sense of ownership for their classrooms, and where principals have fostered a common feeling of aspiration and mutual trust.

I argue here that the endemic failure of America's public schools is due, more than anything else, to a breakdown in human authority needed to build and sustain healthy school cultures. Educators feel powerless to act on their best judgment, much less build a culture of excellence and caring. Teachers and principals struggle to make a difference in a toxic atmosphere of disorder, disrespect, and entitlements. This futility infects students and parents, imparting a sense of fatalism instead of hope.

The breakdown of authority has two main causes: an accretion of government mandates that has progressively narrowed the range for professional autonomy, and union collective bargaining controls that undermine principals' authority.

Since collective bargaining was authorized in the late 1960s, union leaders and officials have engaged in a kind of competition for control of schools, with each imposing more mandates and restrictions to keep the other in check. What's left is a tangle of exposed legal wires that, at any moment, could inflict shocks on a teacher or principal. This is a reason bad schools generally have cultures of fear and distrust and why many schools more closely resemble penal institutions than centers to nurture the skills and values of the next generation.

Once regulatory and union dictates have corroded school cultures, it is no longer sufficient to remove those controls. Achieving mutual trust is almost impossible in an organization that

A Hoover Institution Essay

November 2024

is permeated with distrust. What's generally required is either powerful leadership or a new institution where ground rules are set on day one and enforced.

I make this argument not as a policy preference, but as an immutable organizational imperative. Reempowering professional authority must be the North Star of school reform for these reasons:

1. There is no such thing as a good school without a good culture.
2. Good cultures in turn are impossible unless teachers have agency—specifically, the authority to draw on their perceptions and personalities when interacting with students, parents, and other teachers. Teachers must feel the pride of making a difference.
3. Setting and enforcing standards and values is essential to mutual trust and commitment. This is the job of principals and school leaders. Without their authority, school cultures erode.
4. Fixing America's schools is impossible until we reempower educators to make these daily choices.

WHY AUTHORITY IN SCHOOLS IS ESSENTIAL

To the modern mind, restoring authority seems like an invitation for arbitrary or abusive decisions. Central mandates are aimed at precluding any neglect or error. Teachers' unions justify multi-hundred-page collective bargaining agreements as protection against unfair authority: It's simply a protection of teachers' rights, unions argue. Rights against what? Against management decisions by people in charge.

This conventional wisdom is backwards—without authority, everyone within an institution loses freedom. Disorder replaces order. Defensiveness replaces confidence that everyone will be held to the same standards. Discouragement replaces pride in the common mission.

The authority of school leaders to uphold standards and cultural values instills mutual trust and provides a framework that empowers teachers to channel their energy toward engaging student learning. Authority can be abused, but responsible authority is essential to instilling a cooperative culture and confidence that all are rowing together.[1]

Organizational protocols in schools, such as pedagogy, testing, and declarations of moral principles, are not sufficient to build a successful school culture. School values only come to life in countless daily interactions. Effective teaching hinges on the personality of the teacher. Maintaining standards hinges on judgments by the school principal. Decisions on the spot—what's fair and what's not, what trade-offs are needed—are what determines the culture. That's why good schools are hard to replicate.

The disempowerment of school leaders in the last fifty years is the main reason bad schools get worse, and why mediocre schools rarely improve. Bureaucratic and union controls have usurped the human authority to make the everyday choices needed to build and support effective schools.

THE LITMUS TEST: SCHOOL CULTURE

The human dimension of schools is often overlooked in reform efforts. Walking into a school, experts say, they can tell in five minutes whether the school is successful. The culture emits a kind of hum; students and teachers seem to have a sense of purpose and appear direct and respectful in their interactions.[2] Schools with such cultures almost always have superior academic performance, and, even more important, impart constructive lifelong habits.[3]

A culture represents an amalgam of shared values and habits—an invisible structure that instills trust in mutual goals and obligations and restrains antisocial behavior. Common components of a good school culture include order, a disciplined approach to the common mission of learning, and mutual respect. School cultures are activated by continual choices in interactions among teachers and students and others. Teachers have agency. Students feel known. Parents understand they can make a difference.

People are not widgets, and healthy school cultures foster pride and responsibility by honoring human individuality within the framework of common values. What do you think? Why do you seem upset today? Is this student lagging behind? If so, let's give extra help. Teachers and students feel not like isolated atoms, but like part of a cultural fabric of cooperation in which the school is far stronger than the sum of its parts.

Probably the best test of a healthy school culture is how people feel about it. When observing an inspiring teacher, Philip Jackson and his coauthors of *The Moral Life of Schools* noted that "the most important thing" she communicates is that she "likes being where she is and doing what she's doing."[4] A principal of a successful public school in Tallahassee put it this way: "Remember, classrooms are most effective when students have strong feelings about their teachers. It's the engagement!"[5]

Contrary to Tolstoy's maxim about happy families (all the same) and unhappy families (unhappy in different ways), education expert Frederick Hess posits that all good schools are unique.[6]

Good schools differ widely in their cultural personalities. They can be disciplinarian (think of Joe Clark walking the halls with a baseball bat), achievement focused (such as Eva Moskowitz's Success Academy), values focused (such as Knowledge Is Power Program [KIPP] schools' early motto: "Work hard. Be nice."), subject matter focused (for example, the maritime, environmental, and social justice high schools sponsored by Urban Assembly in New York), organized around student collaboration and learning pods instead of front-of-classroom teaching, or religion focused (parochial and sectarian schools).

Good school cultures also have very different organizational structures. KIPP schools give teachers substantial freedoms to adapt and supplement the curriculum, whereas Success Academy has a seamless curriculum grade by grade. Success Academy's curriculum conformity, which allows students to have a common base of knowledge as they move from grade to grade, would not work in schools with students reading at dramatically different grade levels.

Other organizational features of Success Academy that help build its culture include these:

- Extracurriculars: Success offers a rich array of music, art, chess, and sports activities as a key element to instill in students a passion for life's possibilities. It marshals the resources to pay for these with larger class sizes that are generally about 20 percent larger than in public schools.

- Success Academy has an almost obsessive insistence on keeping schools and classrooms clean and in working order to avoid any impression that the school doesn't care.

- Good citizenship is part of the program. First-grade classrooms have a "job board" assigning responsibilities to hand out snacks or be a "line leader" or a "clean-up czar." Parents too are part of the program, kept up to date on their children's success or challenges and invited to visit anytime without prior notice.

These organizational features at Success Academy are factors in its achievement, but what brings the culture to life, Moskowitz says, are the daily choices of all the teachers and professionals in the school. It is their choices, concerns, and reactions that "make students feel loved and known for who they are" and create "a level of trust that adults in the school have their best interests at heart." "There's no getting around the judgment on the ground in classroom decision-making," Moskowitz says. "You can't script the magic of a good classroom."[7]

This is a common thread of good school cultures: teachers feel in charge of the classroom. "We have a great deal of freedom here," observed a teacher at a successful public school studied by Sara Lawrence-Lightfoot, because the principal "protects his faculty from 'the arbitrary regulations of the central authority.'"[8]

A profile of Deborah Kenny, head of Harlem Village Academies, concluded that "her staff exudes a kind of joi de education—many had taught in schools where bureaucratic malaise stifled their ambitions. Kenny gives them a remarkable amount of freedom. . . . She wants her staff to shine as brightly as her pupils."[9] Kenny attributes her success to "one core idea: belief in the power of teachers."[10] "The solution is . . . giving teachers choice, freedom, support and respect. And then holding them accountable for results."[11]

Good school cultures tend to be self-perpetuating. Once their values take hold, they guide new teachers and students as long as people in charge do not tolerate transgressions. Successful schools keep being successful.

ORGANIZING SCHOOLS TO FAIL

Failing schools generally continue to fail. A low-performing work culture will breed low expectations and cynicism, and failure becomes self-fulfilling.

Frederick Hess observes that, unlike the unique personalities of good schools, "there's a kind of dreary uniformity" to bad schools: "Classrooms manage to be both disorganized and oddly rote. . . . Lessons are lackluster and the air reeks of lifeless obligation. Classrooms may be chaotic or they may be passive, but they're consistently devoid of wonder or passion."[12]

Mediocre schools are the norm in America, at least as measured by academic achievement. Although spending almost 40 percent more per student, America ranks below average among Organisation for Economic Co-operation and Development (OECD) countries in mathematics, and modestly above average in science and reading.[13] The middling rankings actually understate their poor performance:

- National averages, however low, obscure the fact that many inner-city schools teach almost nothing—they are more like holding pens for minority youth. In forty-five schools in Chicago in 2023, not one student was proficient in reading or math.[14] In New Orleans before Hurricane Katrina, students who graduated with As couldn't write a complete sentence. The valedictorian at one high school couldn't graduate because she failed the state graduation proficiency test—despite taking it five times.[15]

- In schools with mediocre or better achievement, the main determinant of performance is family income and education, not school competence.[16]

Scores have been dropping since 2012, a trend that was accelerated by COVID-19.[17] Stopping this decline seems beyond anyone's power.

The theme that runs through countless studies and reports on America's schools is a pervasive sense of powerlessness.[18] Teachers and principals feel like workers on a bureaucratic assembly line—as one teacher put it, "I'm being forced to function as a cog in a wheel and this wheel is not turning in the right direction."[19]

The idea of centralized control over schools goes back to Horace Mann in the mid-nineteenth century, but the accretion of mandates and controls since the 1960s has put educators in a kind of legal stranglehold.[20] These legal controls, in roughly chronological order: (1) gave teachers' unions collective bargaining power over school decisions;[21] (2) gave students legal rights to dispute disciplinary decisions;[22] (3) created a separate framework of rights and obligations for special needs students;[23] (4) imposed ever-more mandates and reporting requirements for curriculum, discipline, truancy, testing, diversity, permissible books, and anything else legislators could think of;[24] and (5) layered on top of all this a heavy federal blanket of penalties and incentives, notably No Child Left Behind in 2001 and Race to the Top in 2009.

For decades, state legislatures and school boards have been imposing ever-more mandates—in some states, literally thousands of requirements. California, for example, has 746 pages of requirements on sex education.[25] New York State has mandates to teach about the Irish Potato Famine and to measure students' body mass index.[26] Recent changes to Florida law have some districts requiring written permission before distributing a Band-Aid.[27] I once saw a New York City handbook on students' rights that was two hundred pages long.

Trying to teach while complying with reams of mandates causes cognitive overload, and makes teachers burn out. The most cited reason good teachers quit, according to a 2007 California study, is frustration with bureaucracy. "There is no rhyme or reason for many things we are asked to do," said one teacher in the survey who quit after eight years because of the "wasted time and energy" caused by "many silly procedures."[28]

The main job of principals and other school leaders is compliance and documentation, not leadership. Frederick Hess describes a Nevada evaluation mandate for a "sixteen-plus-page evaluation for every single teacher, with dozens of indicators that each required multiple 'pieces of evidence' . . . [consuming] more than three hours writing . . . beyond the observation, note-taking, and debrief time." An analysis calculated that these write-ups consume nineteen eight-hour days per year for each principal.[29]

Former teacher and Rhode Island education commissioner Ken Wagner observed that "New teachers come into schools like candles. Then the system starts snuffing them out." Wagner recites a litany of requirements that prevent them from dealing with the situation at hand: Follow the lesson plan. Focus on standardized tests. No exceptions for that student. No, we can't fix the water leak. Prove in a legal hearing that the student was disruptive. Ignore the parents. Don't even think about being creative. Stay within the boundaries of the union contract. "After five or ten years, many teachers have had their spirit squeezed out of them. What's left are a few heroes in an impossible system."[30]

ABOLISH MOST CONTROLS: BUREAUCRACY CAN'T TEACH

Looking back at fifty years of reforms, it seems that political leaders mistook oversight of schools as regulatory activity. The giant school bureaucracy is aimed not at success, but at avoiding any possible error.

A kind of control mania consumes legislatures, school boards, and teachers' unions. Like quarreling puppet masters, politicians and union leaders negotiate for ever-more controls, largely oblivious to the effects on real people at the end of their legal strings. Principals and teachers are jerked here and there by mandates and controls that prevent them from building healthy school cultures.

Controls on schools have replaced the human authority needed to make them work—like "farming on concrete," as one educator told public management guru David Osborne.[31]

Controls to prevent unfairness have instead precluded fairness—disruptive students run amok and ineffective teachers stay on the job. Controls mandating gold-plated services for one activity or group—say, special needs students—use up resources for others. Controls on what to teach preclude other important topics. Controls mandating compliance and reporting consume time and resources now no longer available for teaching.[32]

Almost all these bureaucratic controls must be purged. State by state, governors should appoint spring-cleaning commissions to evaluate bureaucratic overload and recommend simple frameworks that set goals, allocate authority, and provide a hierarchy of accountability. In general, public schools should have similar freedoms as charter schools.

The replacement for red tape is accountability. Who decides that? Principals should presumptively make those decisions. To overcome the deep distrust that permeates schools, there should be a safeguard against arbitrary choices—for example, giving a parent-teacher committee authority to veto termination decisions. But any such reviews must be based on human judgment, not legal proof. The judgments and values required to build and maintain a good school culture cannot be demonstrated in a legal trial.

The main role of political authority over schools should be to evaluate and replace school leaders who are not effective—not manage schools with distant dictates. Instilling confidence in those decisions is probably best accomplished by outside evaluations of schools that include surveys and interviews with all stakeholders. Such reviews can give a fuller picture of school culture than merely looking at test scores or other metrics.

Beyond the red tape, what's blocking the door to a good school culture is a huge elephant: the teachers' unions.

BREAK THE UNION STRANGLEHOLD

Teachers' unions have an effective veto over decisions by school leaders. The most critical management choices, such as accountability, are so impractical as to be nonexistent. Collective bargaining agreements preclude choices that are standard in charter schools and require negotiating with the union rep on basic decisions on matters such as who teaches what, whether a principal can come observe a classroom, and giving a teacher special training.[33]

The corrosive effects of union contracts on school performance and culture are irrefutable, as demonstrated in studies by Terry Moe, Daniel DiSalvo, Michael Hartney, and others.[34] Near-zero accountability is a culture killer: mutual trust and pride are impossible to achieve when everyone knows performance doesn't matter.

Unions aim at protecting teachers, not schools or students. That's reason enough to remove union controls: the public purpose of schools is to prepare America's youth for productive lives in a competitive world, not provide a sinecure for teachers. But unions

have done something far more insidious: they have spawned an anticulture of selfishness and entitlement:

- Harming student learning is the direct consequence of union entitlements. Exhibit A was the teachers' refusal to come back to work for almost two years during COVID, causing irreparable learning loss to millions of students. The focus of union agreements is on limiting teacher obligations, with generous sick leave and rigid collars on teaching time and interaction with the principal. In Seattle, teachers were found to have a regular practice of taking sick days on Fridays, saddling students with substitute teachers who have little idea of what students are working on.[35]

- Going the extra mile to help students is discouraged, a Johns Hopkins study found, because it "makes everyone look bad. . . . 'Unions discriminate against hard work. They put pressure on those who go above the bare minimum.'"[36] A young teacher in Boston was dressed down by a union rep after she volunteered to help out with breakfast duty for students from poor families: "There is no breakfast duty. In the last contract, it didn't come up. We didn't negotiate it. There IS NO breakfast duty. I don't care who wants to do it, there is no breakfast duty."[37]

- Teachers' unions see their job as defending "teachers who shouldn't even be pumping gas."[38] Hiring teachers based on quality is precluded by seniority rights. Indeed, unions go out of their way to make sure excellent teachers are laid off first if they lack seniority, including "teachers of the year" in California and Minnesota.[39]

The fig leaf that the union elephant tries to hide behind is due process. Don't teachers deserve due process? What if a principal is unfair?

But unfair to whom? The union's myopic view of individual rights ignores the rights of students or other teachers. What about the rights of students stuck in a classroom with an inept or uncaring teacher?

Americans are conditioned to assume that any choice that adversely affects someone must be provable. But how does a principal prove which teacher is ineffective, or bores students, or is uncaring? Hearings to terminate poor teachers are exercises of legal sophistry—in one case, turning on whether the school could produce "evidence" proving that the teacher had a duty to grade papers.[40] What unions mean by due process is entitlement to the job, no matter how terrible the teacher. The proof is in the pudding: a study in Illinois found that, over an eighteen-year period, an average of two out of ninety-five thousand teachers were terminated for performance.[41]

Fairness is important to a healthy school culture. But fairness requires judgment, not proof. Here is what the head of a charter school told me about why the school terminated a teacher who, on paper, should have been perfect:

> We had a teacher here—a really nice guy with great credentials and several years of teaching under his belt—who just couldn't relate to the students. It's hard to put my fingers on exactly why. He would blow a little hot and cold, letting one student get away with talking in class and then coming down hard on someone else who did the same thing. . . . But the effect was that kids started arguing back. It affected the whole school. Kids would come out of his class in a belligerent mood. . . . We worked with him on classroom management the summer after his first year. It usually helps, but he just didn't have the knack. So we had to let him go.[42]

Making the choices to build and sustain a healthy school culture is *the job of principals*, not an abuse of state power. Nor, as noted above, is it hard to require a second opinion or approval to protect against an arbitrary or abusive termination—as when some large employers solicit the opinions of coworkers before terminating someone.[43] But imposing a requirement of legal proof on principals is tantamount to removing their authority.

Teachers' unions are accepted as a state of nature, like an unavoidable evil. But, as I explain in *Not Accountable*, public unions are different in kind from private trade unions—they have no market constraints, and represent a delegation of governing power to a private party, contrary to basic principles of constitutional governance.[44] Teachers' union powers were granted as a side effect of the 1960s rights revolution, and have evolved in ways that would shock the original proponents of public unionization.

A political remedy to union power is unrealistic. That's because teachers' unions' political power is preemptive: in thirty-six states, Terry Moe found, teachers' unions' political contributions exceeded those of *all business groups combined*.[45] Public unions have, in effect, consolidated the massive size of modern government as a political force to prevent the reform of government.

Throwing off union controls requires a constitutional challenge. Voters elect reform-minded mayors who come to office shackled by preexisting collective bargaining agreements. Governing power has been delegated to private parties, contrary to core constitutional principles of nondelegation.[46] How can democracy work if the people elected to operate government have no authority over public operations?

One untapped ally for challenging union controls is the teachers themselves. Union contracts deprofessionalize teachers, treating them like workers on an assembly line. Teacher quality is irrelevant: teacher pay, assignments, and layoffs are determined by seniority. Good new ideas are foreclosed by the contract. Under union contracts, the job of the teacher requires little more than going through the motions, which eventually poisons the spirit of the most idealistic teachers. Teachers in private schools, by contrast, have higher levels of job satisfaction despite earning materially less.[47]

To fix America's schools, this battle against union control must be won. American voters today elect mayors and governors who, under union agreements, have no authority to overhaul bad schools.[48]

ACKNOWLEDGING SYSTEM FAILURE: TIME TO PUSH THE RESET BUTTON

American schools have been organized "on the totally erroneous assumption," management expert Peter Drucker observed, "that there is one right way to learn and it is the same for everyone."[49]

America's schools are treated today like other arms of government. But most governing responsibilities are regulatory or reactive to possible violations of law, and are governed by laws and regulations that are supposed to be uniform and generally centralized.[50]

Schools are different from governing. There's no reason for schools to be uniform, and, as discussed, uniformity tends to destroy their spirit. Schools are supposed to provide the training and values for individuals to flourish, not to extrude them through a common mold. It's hard to imagine a worse structure than one that organizes schools like a police function, handcuffing teachers and principals. Just as the country can't flourish with decrepit infrastructure, so too it can't flourish with schools that are organized with one-size-fits-all codebooks. Another harm of dreary public schools is the creation of a two-tier society—one in which about 17 percent of students get a chance at excellent education in private and charter schools, and most other students get the educational dregs.[51]

The idea of centralized controls was championed for business efficiency by Frederick Winslow Taylor's ideas of "scientific management."[52] But large companies are discovering that centralized control systems—such as fifty thousand "key performance indicators" at software company SAP—are inefficient and skew incentives away from responsible decisions.[53]

The vitality of organizational cultures, management expert Michele Zanini has concluded, requires a sense of ownership in the institution's values by the people doing the work. Especially for service providers, local autonomy improves customer and employee satisfaction while dramatically reducing overhead—examples include a Dutch home healthcare company that is organized into twelve-person pods and a Swedish bank that gives autonomy to each branch.[54] Large manufacturers such as Toyota, Michelin, steelmaker Nucor, and appliance giant Haier are organized to empower the judgment of employees at all levels of responsibility, including on the assembly line.[55]

Even regulators are starting to discover that allowing regulated entities to use their common sense in meeting regulatory goals results in better outcomes than rigid rules and formal procedures. The quality of nursing homes in Australia dramatically improved when it replaced prescriptive rule books with thirty-one general principles—for example, to provide a "homelike environment." Instead of trudging through red tape, all participants could focus on the residents' needs. Accountability was for overall quality of the nursing home, not rote rule compliance and correct paperwork.[56]

Empowering people on the ground does not mean anything goes. There's still an important role for protocols in any organization, but those structures should be adapted to the needs of each school and directed at enhancing the ability to deliver the goals, not at control for its own sake. For example, the "job board" in the first-grade classroom at Success Academy is an educational tool that inculcates a sense of citizenship. Success Academy protocols engaging parents are aimed at enlisting them in the educational progress of their children since, as education expert Paul Hill told me, "The most important teachers are the parents."[57]

As with Australia's nursing homes, and with the companies described above, clear-cutting red tape will liberate teachers and principals to focus on students, and unlock resources for better salaries and services. It will also go a long way toward rejuvenating teaching as an honored profession.

THE CURE TO BAD SCHOOLS: BUILD NEW SCHOOLS

Successful schools generally fall into two categories: schools with a tradition of excellence, and new schools started from scratch, such as KIPP schools and Success Academy.

Fixing a bad school culture is so difficult that the best strategy is generally to close them and start over.[58] The culture of poor schools is permeated with too many antisocial habits and values, and too much distrust. Getting everyone to believe in a new mission, and in each other, is like putting fumes back into a bottle.

There are examples of turnarounds of mediocre or sluggish schools, but only with powerful leadership and breaking of many eggs.[59] The imminent prospect of being shut down is the one sanction of No Child Left Behind that produced significant change in poorly performing schools.[60] Turnarounds almost always involve high turnover. Teachers who resist the new values must be let go. When leading a dramatic overhaul of one of New York City's school districts in the 1980s, Anthony Alvarado is said to have caused turnover of principals and teachers of about 40 percent.[61]

New schools should be built community by community and should be free to design their own learning frameworks and cultures. There is no ideal system. In *Pluralism and American Public Education*, Ashley Rogers Berner shows that distinct approaches and cultures "offer educational advantages deriving from their clarity of focus."[62] The process of inventing a school culture is much of what will engage people to make it succeed. Opening the school door wide to the ideas and inspiration of principals, teachers, and parents will energize schools and the community at large. Instead of being organized as lackluster municipal bureaucracies, run by rote, schools will reflect the aspirations and personalities of the community.

The transformation of New Orleans schools after Hurricane Katrina demonstrates what is possible when communities can start over—after the public school system was replaced by independent charter schools, high school graduation rates improved from 52 to 72 percent, and gaps between racial groups narrowed.[63] Not all the new schools were successful—about

a quarter were shuttered for poor performance.[64] But the ones that survived produced materially superior results with far better school cultures.

The secret to success of new schools in New Orleans was not educational genius or even better people, David Osborne describes, but simply the authority to make basic choices. New schools worked because, according to one school leader, "teachers and school leaders have more autonomy to be adaptive in the new system—they can improve more quickly, they can more easily make the small changes and decisions that need to be made every week and every year to better meet the needs of students and parents and teachers."[65]

Closing and rebuilding schools and empowering educators does not resolve all the challenges in American education. Teachers need more support and, in many communities, more pay. Mental health is a crisis in some schools. Many mothers and infants in poor communities need daylong programs so that the youngest children have exposure to words and stimuli essential for cognitive development.

But no meaningful progress can occur until political and education leaders acknowledge that the bureaucratic model of America's public schools has failed. The control model fails because it crushes the human spirit and autonomy needed to build and sustain good school cultures. Those top-down frameworks should be abandoned, and communities empowered to rebuild America's schools as local institutions rooted in local values and personalities.

NOTES

1. I have written about the importance of authority in institutions and in a free society, most recently in *Everyday Freedom: Designing the Framework for a Flourishing Society* (Garden City, NY: Rodin, 2024). See also Philip K. Howard, *Try Common Sense: Replacing the Failed Ideologies of Right and Left* (New York: W. W. Norton, 2019), and Philip K. Howard, *The Rule of Nobody: Saving America from Dead Laws and Broken Government* (New York: W. W. Norton, 2014).

2. See, e.g., Craig D. Jerald, "School Culture: 'The Hidden Curriculum,'" The Center for Comprehensive School Reform and Improvement (December 2006), https://files.eric.ed.gov/fulltext/ED495013.pdf; and discussion with former Rhode Island education commissioner Ken Wagner in Howard, *Everyday Freedom*, 17.

3. See, e.g., Ashley Rogers Berner, *Pluralism and American Public Education: No One Way to School* (New York: Palgrave Macmillan, 2017), 90–91.

4. Philip W. Jackson, Robert E. Boostrom, and David T. Hansen, *The Moral Life of Schools* (San Francisco: Jossey-Bass, 1998), 115.

5. Author's conversation with Jackie Pons, 2005; see also discussion in Philip K. Howard, *Life without Lawyers: Restoring Responsibility in America* (New York: W. W. Norton, 2010), 115.

6. Frederick M. Hess, *The Great School Rethink* (Cambridge, MA: Harvard Education Press, 2023), 112.

7. Author's conversation with Eva Moskowitz, June 2024.

8. Sara Lawrence-Lightfoot, *The Good High School: Portraits of Character and Culture* (New York: Basic Books, 1983), 68.

9. Thomas Kelly, "Deborah Kenny: Radical Education Reformer," *Esquire* (November 19, 2007), https://www.esquire.com/news-politics/a3955/kenny1207/.

10. "The 2010 O Power List; Deborah Kenny: The Power of Smart," *O, The Oprah Magazine*, September 14, 2010, https://web.archive.org/web/20100919151659/http://www.oprah.com/world/The-2010-O-Power-List/22.

11. Carl Campanile, "Charter Gets Perfect Score," *New York Post*, June 25, 2010, https://nypost.com/2010/06/25/charter-gets-perfect-score/.

12. Hess, *The Great School Rethink*, 112.

13. On spending, see "Education Expenditures by Country," National Center for Education Statistics (August 2023), https://nces.ed.gov/programs/coe/indicator/cmd/education-expenditures-by-country; on US rankings, see "PISA 2022 Results (Volume I and II) – Country Notes: United States," Organisation for Economic Co-operation and Development (OECD), December 5, 2023, https://www.oecd.org/en/publications/pisa-2022-results-volume-i-and-ii-country-notes_ed6fbcc5-en/united-states_a78ba65a-en.html#chapter-d1e11.

14. Ted Dabrowski and John Klingner, "Education Fail: Not a Single Child Tested Proficient in Math in 67 Illinois Schools. For Reading, It's 32 Schools," Wirepoints, February 13, 2024, https://wirepoints.org/education-fail-not-a-single-child-tested-proficient-in-math-in-67-illinois-schools-for-reading-its-32-schools-wirepoints-special-report/.

15. David Osborne, *Reinventing America's Schools: Creating a 21st Century Education System* (New York: Bloomsbury, 2017), Kindle ed. Loc. 25.

16. See, e.g., "Factsheet: Education and Socioeconomic Status," American Psychological Association (2017), https://www.apa.org/pi/ses/resources/publications/factsheet-education.pdf (summarizing research that finds, among other things, that socioeconomic status [SES] is a major determinant of educational achievement, but that low-SES students who are moved from low- to high-performing schools are able to significantly close the gap with their higher-SES peers).

17. See "NAEP Long-Term Trend Assessment Results: Reading and Mathematics," The Nation's Report Card, https://www.nationsreportcard.gov/ltt.

18. See discussion in Howard, *Everyday Freedom*, 1–6.

19. Alyssa Hadley Dunn, Matthew Deroo, and Jennifer VanDerHeide, "With Regret: The Genre of Teachers' Public Resignation Letters," *Linguistics and Education* 38 (2017): 37.

20. See Berner, *Pluralism and American Public Education*, 41; see also Jal Mehta, *The Allure of Order: High Hopes, Dashed Expectations, and the Troubled Quest to Remake American Schooling* (New York: Oxford University Press, 2013) (on how Taylorism infected Progressive Era ideas of schooling); and Osborne, *Reinventing America's Schools*, Kindle ed. Loc. 6–8.

21. See discussion in Philip K. Howard, *Not Accountable: Rethinking the Constitutionality of Public Employee Unions* (Garden City, NY: Rodin, 2023), 115–24.

22. See discussion in Philip K. Howard, *The Death of Common Sense: How Law Is Suffocating America* (New York: Random House, 2011), 161–63; see also Richard Arum, *Judging School Discipline: The Crisis of Moral Authority* (Cambridge, MA: Harvard University Press, 2003).

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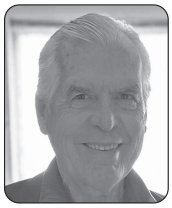

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