ANNENBERG
BROWN UNIVERSITY

EdWorkingPaper No. 23-888

Bending Without Breaking - COVID-19 Tests the Resilience of State Education Policymaking Institutions

David Menefee-Libey
Pomona College

Carolyn Herrington
Florida State University

Kyoung-Jun Choi
Chongshin University
South Korea

Julie Marsh
University of Southern California

Katrina Bulkley
Montclair State University

COVID-19 upended schooling across the United States, but with what consequences for the state-level institutions that drive most education policy? This paper reports findings on two related research questions. First, what were the most important ways state government education policymakers changed schools and schooling from the moment they began to reckon with the seriousness of COVID-19 through the first full academic year of the pandemic? Second, how deep did those changes go – are there indications the pandemic triggered efforts to make lasting changes in states' education policymaking institutions? Using multiple-methods research focused on Colorado, Florida, Louisiana, Michigan, and Oregon, we documented policies enacted during the period from March 2020 through June 2021 across states and across sectors (traditional and choice) in three COVID-19-related education policy domains: school closings and reopenings, budgeting and resource allocation, and assessment and accountability systems. We found that states quickly enacted radical changes to policies that had taken generations to develop. They mandated sweeping school closures in Spring 2020, and then a diverse array of school reopening policies in the 2020/2021 school year. States temporarily modified their attendance-based funding systems and allocated massive federal COVID-19 relief funds. Finally, states suspended annual student testing, modified the wide array of accountability policies and programs linked to the results of those tests, and adapted to new assessment methods. These crisis-driven policy changes deeply disrupted long-established patterns and practices in education. Despite this, we found that state education governance systems remained resilient, and that at least during the first 16 months of the pandemic, stakeholders showed little interest in using the crisis to trigger more lasting institutional change. We hope these findings enable state policymakers to better prepare for future crises.

VERSION: December 2023

Suggested citation: Menefee-Libey, David, Carolyn Herrington, Kyoung-Jun Choi, Julie Marsh, and Katrina Bulkley. (2023). Bending Without Breaking - COVID-19 Tests the Resilience of State Education Policymaking Institutions. (EdWorkingPaper: 23-888). Retrieved from Annenberg Institute at Brown University: https://doi.org/10.26300/rph8-8j04

BENDING WITHOUT BREAKING?

COVID-19 TESTS THE RESILIENCE OF STATE EDUCATION POLICYMAKING INSTITUTIONS

David Menefee-Libey, Pomona College

Carolyn Herrington, Florida State University

Kyoung-Jun Choi, Florida State University

Julie Marsh, University of Southern California

Katrina Bulkley, Montclair State University

November, 2023

ABSTRACT

COVID-19 upended schooling across the United States, but with what consequences for the state-level institutions that drive most education policy? This paper reports findings on two related research questions. First, what were the most important ways state government education policymakers changed schools and schooling from the moment they began to reckon with the seriousness of COVID-19 through the first full academic year of the pandemic? Second, how deep did those changes go – are there indications the pandemic triggered efforts to make lasting changes in states' education policymaking institutions? Using multiple-methods research focused on Colorado, Florida, Louisiana, Michigan, and Oregon, we documented policies enacted during the period from March 2020 through June 2021 across states and across sectors (traditional and choice) in three COVID-19-related education policy domains: school closings and reopenings, budgeting and resource allocation, and assessment and accountability systems. We found that states quickly enacted radical changes to policies that had taken generations to develop. They mandated sweeping school closures in Spring 2020, and then a diverse array of school reopening policies in the 2020/2021 school year. States temporarily modified their attendance-based funding systems and allocated massive federal COVID-19 relief funds. Finally, states suspended annual student testing, modified the wide array of accountability policies and programs linked to the results of those tests, and adapted to new assessment methods. These crisis-driven policy changes deeply disrupted long-established patterns and practices in education. Despite this, we found that state education governance systems remained resilient, and that at least during the first 16 months of the pandemic, stakeholders showed little interest in using the crisis to trigger more lasting institutional change. We hope these findings enable state policymakers to better prepare for future crises.

I. INTRODUCTION

The COVID-19 pandemic swept through all 50 states with frightening speed early in 2020, testing their institutions and their resiliency. By mid-March, many functions of state government were either brought to a halt or dramatically changed. State policymakers quickly directed most K-12 schools to close and develop remote/virtual learning. State leaders struggled to reimagine how to provide quality schooling, including how to assess and measure quality, how to allocate budget resources, and how to protect the physical health and safety of staff, students, and families.

Given how deeply states differ in their internal conditions and political alignments, one might expect wide variations in the policies states would enact in response to the COVID-19 pandemic. In light of the severity of the crisis, one might also expect deep institutional disruptions. In the first few months of the pandemic, it seemed quite plausible that the stress COVID-19 placed on publicly funded K-12 education might ultimately disrupt the system so deeply that state education policymaking institutions could "break" instead of returning to what they were pre-pandemic. Yet there is only limited systematic, empirical research examining these possibilities and patterns of response at the state level.

In this paper, we first address a descriptive question: what policies did states enact during those first 16 months of the pandemic? We focus on state-level K-12 policy responses in three distinct domains: school closing and reopening, budgeting (including the use of federal COVID-19 Relief Funds), and assessment and accountability, with particular emphasis on differences across sectors (traditional public, charters and other choice options). This research extends work done in recent years under the auspices of the National Center for Research on Education Access and Choice (REACH), and our analysis focuses on pandemic-related policy in these areas from March 2020 to July 2021 in five states (Colorado, Florida, Louisiana, Michigan, and Oregon). The Center's researchers selected these states for variation along several dimensions, including state political

dynamics, governmental structures, education policy, and student demographics, and engagement with school choice policies.

Our descriptive findings enable us to address a second question with longer term implications: did crisis policymaking during the COVID-19 pandemic lead stakeholders to seek more lasting changes in state education policymaking institutions? The states we investigated certainly have experience with crises: blizzards, hurricanes, and school shootings, among others. But even the worst of these – Hurricane Katrina in Louisiana – was a relatively brief storm, despite its enduring aftermath. The COVID-19 crisis is completely different in scale and duration. Though it is now waning, the pandemic has lasted more than three years, and we have long since passed the unimaginable threshold of a million pandemic-related deaths in the United States. Though the spread of the disease has been diminished by vaccines and post-disease immunity, hundreds of people continue to die every week. Further, the world continues to encounter new strains, so education policymakers know the lingering danger of a renewed pandemic will not fully end any time soon.

Policy researchers tracked and documented state-level responses to COVID-19 from the earliest days of the pandemic, and we build on their work here. First and foremost, as we have noted, we draw on and build on earlier work by the REACH consortium with which we are affiliated.[1] In this paper we delve into a sample of states, drawing on our interviews with key state-level actors, as well as online documents, and news and social media. Our data and analysis suggest that, while policies did shift dramatically in many ways, there were many commonalities across states in policy responses. Our research findings suggest that policymaking institutions "bent" significantly under the weight of the pandemic, but during these pivotal 18 months few stakeholders worked to move toward a fundamentally different education policy system in the post-COVID-19 era.

[1] That work is published online at https://reachcentered.org/research.

In the sections that follow, we survey the research literature on state education policymaking and institutional change in Part II, providing a broader analytic context for our core research questions. In Part III, we describe the data we gathered and the methods we used to analyze it. We describe several aspects of the broader policymaking context in Part IV, briefly surveying major features of state governments, the status of teacher unions in each state, the status of charter schools in each state and, where present, voucher systems involving private schools, and COVID-19 conditions in the five states. We present our findings on policymaking and institutional change in Part V, reporting how state policymakers responded to COVID-19 during the early months of the pandemic in school closings and reopenings, budgeting, and assessment, noting the institutional impacts of the COVID-19 disruption. We discuss the implications of our findings in Part VI.

II. THE RESEARCH LITERATURES ON STATE EDUCATION POLICYMAKING AND INSTITUTIONAL CHANGE

The broad organizational contours of public education in the United States have remained fairly stable through periods of controversy and conflict since at least the 1960s (Fowler, 2012; Kerchner et al., 2008; Tyack & Tobin, 1994). Public elementary and secondary education policy has continued to be governed primarily at the state and school district levels. In every state, the constitution and laws create a right for all children to attend public schools, and all states have created districts or regional authorities that organize and administer those schools using public funds. All states require teachers and other school employees to meet set job qualifications. And all states have created educational standards and curricula, as well as systems of testing and accountability to assess the performance of students, teachers, and schools.

That's not to say that this all works exactly the same everywhere, or that it hasn't changed at all over time. Individual states differ in the details of how their education policymaking is structured and in patterns of relationships across their branches of government (executive, legislative, and

judicial) and across policy areas (e.g., education and health). Likewise, within the federal system, states differ in the roles of the state and local school districts, and in the relative importance of federal policy. Most states have approved the authorization and oversight of charter schools in some way, and growing numbers of states have created other systems of choice including vouchers and education savings accounts or ESAs. The resulting complexities and tensions are perennial and baked into the U.S. educational governance structure (Fuhrman & Elmore, 1990; Grissom & Herrington, 2012; D. J. Menefee-Libey, 2004; Wirt & Kirst, 2009). Recent research underscores these complicated and diverse patterns within and among governments (Henig, 2013a; J. A. Marsh & Wohlstetter, 2013; Polikoff, 2021). Further complicating matters, state policy making is also always intersectoral – requiring collaboration between governments, commercial contractors, and civil society organizations (Henig, 2013b; D. Menefee-Libey et al., 2014).

Taken as a whole, these patterns comprise the institutions of education policy making. By "institution" we mean a pattern of human relations with several observable dimensions (Orren & Skowronek, 2004, pp. 81–84; Polsby, 1968). One dimension is purposes: humans create institutions like state governments to accomplish goals, pursue aspirations, or solve problems. An institution's purposes may be complex or multiple – as they certainly are in K-12 education – and they may change over time (Labaree, 1997). Second, institutions have formal rules and informal norms that structure internal and external interactions. Third, institutions draw on these rules and norms to establish and maintain some degree of structure in offices, communications systems, and divisions of labor. Fourth, institutions have various kinds of resources such as money, personnel, expertise, information, and formal or informal authority to accomplish their purposes. Fifth, institutions have some degree of boundaries, either prescribed by others or self-defined. Finally, institutions have histories, patterns of behavior of the institution itself, people within the institution, and between the institution and those outside of it.

Scholars studying these patterns have worked to understand institutional development, and to identify conditions under which institutions are likely to persist or change significantly (Blyth, 2008; Dodd, 1994; Orren & Skowronek, 2004; Pierson, 2004). Stakeholders may begin to press for change when an institution proves persistently incapable of advancing its goals, or when new or previously excluded actors come onto the scene with goals the institution is incapable of addressing (Pierson, 2004, pp. 134–139). Such pressures can build over time, but they can also arise quickly. Kingdon (1984) for example, in his explanation of what he called "focusing events," noted that a crisis or disaster could put a previously neglected problem on policymakers' agenda in ways they can't avoid (pp. 94–95). Baumgartner and his colleagues (2017) noted that while "[s]tasis, rather than crisis, typically characterizes most policy areas, … crises do occur" and the stable equilibrium of an institution can be disrupted by a "punctuation" (p. 55).

The research literature suggests that policymaking in response to any crisis will be strongly shaped by politics, including which stakeholders get involved in the struggle to shape policy, what power resources they have available to pursue their interests and values, what ideas they draw on to mobilize and engage in policymaking, and what political work they do (Malen, 1994; J. Marsh, 2012; McDonnell & Weatherford, 2016). The most important stakeholders in state education policymaking are governmental leaders, leaders of major school districts and charter school organizations, school boards, teacher unions, administrators' associations, businesses like textbook and testing companies that contract with the state, parent organizations, and education-focused advocacy organizations (Fowler, 2012). The players and the relationships and balances among them vary significantly from state to state, and crisis politics may complicate this further.

Likewise, the interests and values of these players remain complicated and often inconsistent. As Labaree has observed, Americans pursue different and competing goals in our education policy (Labaree, 1997). In this context, even during periods of relatively low conflict,

policy often emerges in fits and starts as policymakers focus on one goal after another. This pattern even continues during periods of crisis, as with education policy in the aftermath of Hurricane Katrina in New Orleans (Levin et al., 2010). Because political conditions and actual politics vary widely among the states, we should expect to find variations across the politics of state COVID-19 policy disputes.

Recent research on COVID-19-specific policymaking recognizes the pandemic as a cardinal case of crisis policymaking (Béland et al., 2022; Berger et al., 2021; Crow et al., 2022). We will explore this further in this paper, but we can also note here that the COVID-19 crisis arrived at a time when state K-12 policymaking institutions across the United States already faced two persistent legitimacy challenges. One comes from advocates of privatization, who call for a scaling back of governments' control over elementary and secondary education. The most common vehicles for that privatization are charter schools and vouchers. State education policy makers also face a second legitimacy challenge in the deep and growing polarization of partisan politics in the United States. "Culture wars" politics and partisan polarization have arrived in education politics at all levels, made policymaking more difficult, and eroded the legitimacy of education policymaking institutions at all levels (Houston, 2022; Lo et al., 2022).

We now turn to the data we gathered in our work on answering our two questions.

III. DATA AND METHODS

This paper draws on a comparative cross-case study of five states (Yin, 2013). The authors conducted this study as part of a large, national, multi-year research project exploring how school choice is shaping the experiences of historically marginalized students. With the onset of the pandemic, the project expanded to include how the pandemic was influencing state choice policies and their impact on historically marginalized students. This data-gathering offers an opportunity to explore state-level policymaking amid crisis, and we focus in this paper on how these five state

governments managed or struggled through the first 16 months of the pandemic. Specifically, we ask:

1. What elementary and secondary education policies did state governments enact in response to COVID-19 during the first 16 months of the pandemic (March 2020 – June 2021)? We investigated three policy domains: a) School closing and reopening; b) Budgeting and resource allocation; c) Assessment and accountability.
2. What were the patterns in crisis policymaking across states and sectors in the three COVID-19-related education policy domains, and were there efforts by stakeholders to trigger changes in the underlying state educational policymaking institutions?

We chose these three domains because they all represent core areas of state policy making over the last half-century, and because they all saw dramatic COVID-19-driven policy changes.

A. Sample.

As part of the design of the broader REACH center prior to COVID-19, we selected five states - Colorado, Florida, Louisiana, Michigan, and Oregon - to represent variation in population, geographic location, partisan alignments, and type and breadth of choice policies. (See Table 1.) All five states allow for charter schools and all five have inter-district open enrollment policies that allow students to enroll in public schools outside of their home district. Florida and Louisiana also have policies that allow for public funding for students to attend private schools such as school voucher programs and tax credits. We selected states with robust and varied choice programs to explore how equity and access around choice connect with state policy; we did not include any states where choice is not a significant policy strategy. We had been conducting research in these five states prior to COVID-19 and thus had formed strong understandings of the policy, governance, and political context in each case.[2]

[2] For a report on prior research on state equity and choice policy in these five states, see Bulkley *et al*, 2022.

Table 1: Public Enrollments and Characteristics of Students, by State, 2018-19

	Total Public Enrollment	Percent Black	Percent Latinx	Percent White	Percent Low Income	Percent Students with Disabilities	Percent English Learners
Colorado	911,536	4.5	33.6	53.5	40.7	11.2	13.8
Florida	2,846,857	21.9	33.9	37.4	55.1	14.1	10.2
Louisiana	717,109	43.2	7.6	44.2	69.8	12.1	3.7
Michigan	1,485,144	17.9	7.3	67.4	46.1	12.4	6.0
Oregon	580,684	2.0	23.0	62.0	49.0	13.6	9.4

Source: Bulkley et al., 2022, pp. 9–10.

B. Data Collection.

Data for this paper came from documentary analyses and interviews with state leaders, with the goal of understanding whether and how, in light of COVID-19, educational policies have been implemented or revised in ways that increase opportunities and outcomes for marginalized or underserved populations. From October 2020 through May 2021, our team conducted 23 interviews with state level actors selected based on key statewide leadership roles, and through recommendations from policy experts, including state legislators; gubernatorial and legislative staff; members of state boards of education; charter authorizers, leaders of administrative associations, private schools and teacher unions; administrators from state departments of education; and representatives from education, parent, and nonprofit organizations including those actively supporting school choice options and community-based organizations. Interviews averaged an hour and focused on state policy decisions related to K-12 education and COVID-19, as well as issues that arose during implementation and impact on historically marginalized students. We conducted interviews primarily via video conference or telephone, recorded and then transcribed them.

Teams of researchers also gathered and reviewed policy documents (e.g, Executive Orders, school-reopening guidance from state departments of education, budgets), state and professional association websites and social media postings, and journalistic accounts of state policy decisions

made from March 2020-June 2021. We also drew on research and reports by others, including especially the Center for Reinventing Public Education (CRPE). Among many other initiatives, CRPE has compiled an extensive database on state policies toward closing/reopening, COVID-19-related budgeting, and assessment and accountability.[3] A second additional resource for our research was the reporting of the Education Commission of the States, which documented state COVID-19 responses in the three policy domains in "EdNotes" policy blog.[4] A third additional resource was the work of the FutureEd consortium. FutureEd monitored COVID-19-related statements in U.S. governors' 2022 State of the State addresses.[5]

C. Data Analysis.

In our first phase of analysis, we uploaded transcripts of our interviews to Dedoose and coded using an initial list of deductive codes including codes for the political and policy context, pandemic effects and response (assessment and accountability, health/safety, funding), vulnerable and historically marginalized populations (English learners, immigrant/migrant families, students in poverty, students of color/BIPOC, students with disabilities, other). Team members also wrote detailed state case profiles, seeking to capture the specific dynamics around state policy responses, as well as broader issues of state context and politics. The state profiles identified state-specific inductive themes in each of these areas along with extensive interview and documentary supporting evidence.

In our second phase, we used these state profiles, along with the coded data, to conduct detailed single- and cross-case analyses via memoranda identifying inductive themes related to state

[3] CRPE published their state policy reports online at https://crpe.org/pandemic-learning/tracking-state-actions/. Their database on policies toward closing and reopening is at https://docs.google.com/spreadsheets/d/1AFyMob7ATHlrDDvWXsGVNUSrj_vpJkFdqU49zhb4TJU/edit#gid=1737085800.

[4] ECS publishes its findings and its blog online at https://www.ecs.org/covid-19-pandemic/.

[5] FutureEd publishes their research online at https://www.future-ed.org/.

socio-political context and decisions in three key areas: 1) school closing and reopening, 2) budgeting and resource allocation, and 3) assessment and accountability. Co-authors probed for similarities and differences across the states and the conditions likely shaping the observed patterns. We also gathered and analyzed data and information about policy impacts and institutional conditions across school sectors. These memoranda provided the foundation for the findings presented here.

D. Limitations.

There are two important limitations on our findings. First, we were not able to secure interviews with all the stakeholder groups/key decision-makers we had identified in each state. We did our best to supplement interviews with data we gathered by other means. Second, we conducted interviews over a span of months at the end of 2020 and into 2021, so the timing of the interviews varied within and across states. COVID-19 conditions and the politics of the pandemic varied dramatically across the time we did our interviews, so our respondents' focus and perception of the pandemic was likely to have changed across time. Their views at one point might differ greatly from another based on those changing contexts, and we did our best to interpret their responses cautiously and to contextualize them as best we can with data we gathered by other means.

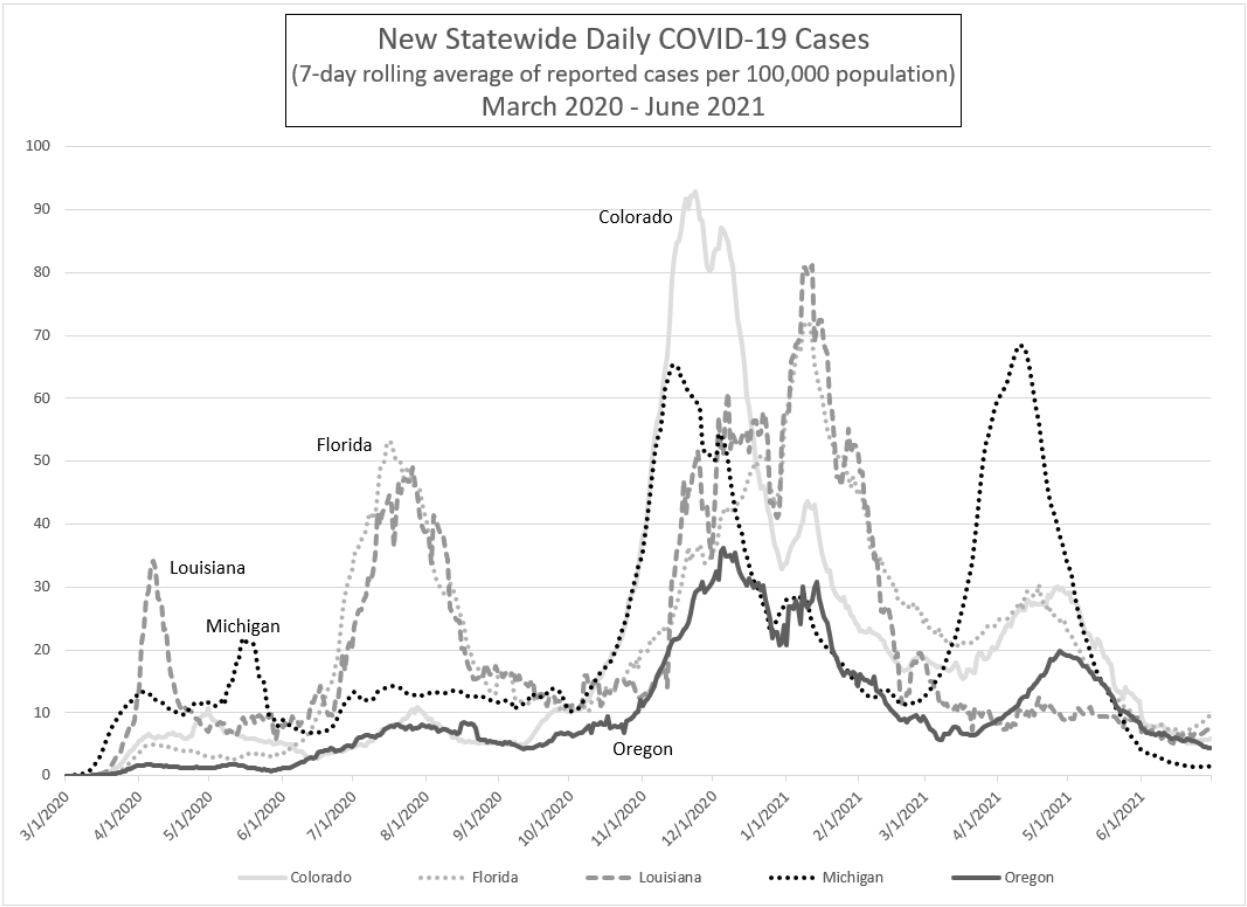
IV. CONTEXT: COVID-19 CRISIS POLICYMAKING

Government officials and institutions faced significant strain as they enacted the dramatic policy changes we describe in this paper. Some of the strains existed long before the arrival of COVID-19, and others came from the uncertainties brought on by the global health crisis and the contentious politics of pandemic policymaking.

COVID-19 also clearly imposed strains on state education policymaking institutions, but the impact of the disease itself varied from state to state. FIGURE 1 shows COVID-19 conditions in each state between March 2020 and the end of the 2020/2021 school year. Specifically, we note

when major waves of infection arrived in each state and their intensity as measured by the number of cases per 100,000 residents. Michigan was the first among the states we studied to suffer a major surge at the beginning of the pandemic, followed by an even worse Louisiana wave in the spring of 2020. Florida and Louisiana suffered the worst waves that summer, and Colorado led all of our states in case rates per 100,000 during the major national wave that occurred at the end of 2020. Amid all of this, Oregon seems to be the outlier: its most severe wave at the end of 2020 barely surpassed Louisiana's first from the spring of that year. These data indicate some of the public health dimensions of the crisis.

FIGURE 1:



Source: Authors' analysis of data from the Centers for Disease Control posted online at https://data.cdc.gov/Case-Surveillance/United-States-COVID-19-Cases-and-Deaths-by-State-o/9mfq-cb36/data, accessed March 22, 2022.

V. FINDINGS: STATE POLICIES AND INSTITUTIONS

How did state government education policymaking respond to COVID-19 during the first 16 months of the pandemic? Did these events create possibilities for deeper institutional change? In this section of the paper, we answer these questions by presenting findings on often-radical policy decisions made around school closing and reopenings, budgeting and resource allocation, and assessment and accountability.

School closings and reopenings: similar immediate responses, then divergence

As state and local policy makers became convinced by mid-March 2020 that COVID-19 posed a serious public health danger, one of their earliest responses was to close schools to prevent the spread of the virus. We can distinguish between two periods of such policies: from March 2020 through the end of the 2019/2020 school year, and from July 2020 through the 2020/2021 school year. As we show in TABLE 2 below, we found that state policies toward school closing and reopening worked quite differently in the two periods. From March 2020 through the end of the 2019/2020 school year, states enacted quite similar policies, closing most schools and working to support student learning and to provide other supports to children and families even while those schools remained closed through May and June. Beginning in summer 2020 and running through the end of the 2020/2021 school year, there was far less unanimity in policies as states took many different approaches to reopening their schools.

TABLE 2:
School Closing and Reopening Orders

	March-June 2020	June 2020-July 2021
Colorado	Gov. Jared Polis (D) ordered closures March 23, and on April 20 extended his order to the end of the school year. Both orders included charter schools	No state mandate for or against reopening, although the state provided reopening health and safety guidance to districts and schools.

Florida	Gov. Ron DeSantis (R) ordered closures March 16, and on April 18 extended his order to the end of the year.	State mandate to reopen schools five days per week for in-person learning.
Louisiana	Gov. John Bel Edwards (D) ordered closures March 13, and on April 17 extended his order to the end of the year.	No state mandate for or against reopening, although the state Board of Education did mandate safety standards for school districts that chose to open their schools, and mandated that school districts and charter schools submit detailed instructional plans to the state Department of Education for all modes of instruction.
Michigan	Gov. Gretchen Whitmer (D) ordered closures March 16, and on April 2 extended her order to the end of the school year.	No state mandate for or against reopening, although a state task force provided guidance to districts and schools on COVID-19 health measures. Gov. Whitmer urged schools to offer as much in-person instruction as they could, and the state legislature in March 2021 enacted financial incentives for schools to offer in-person instruction. A strong surge of COVID-19 infections in April 2021 led Gov. Whitmer to urge schools to switch to remote instruction for two weeks.
Oregon	Gov. Kate Brown (D) ordered closures March 16, and on April 8 extended her order to the end of the year.	Gov. Brown ordered all schools to offer at least part-time in-person instruction to all students, except under named conditions. She established specific infection rate thresholds for reopening, and gave strong guidance that schools should focus on the social-emotional well-being of students, and create curricula addressing racial equity.

Sources: Authors' research; "Map: Coronavirus and School Closures in 2019-2020," 2020.

During the first period, the governor in each of the states we investigated ordered public schools (traditional and charter) to close. In their first announcements, all governors closed schools for a limited period, not knowing what to expect from the spread of the virus in their states. But within weeks, all governors extended the closure to the end of the 2019/2020 school year. Only one of these five sets of orders was conditional: Oregon's Gov. Brown set infection rate threshold

numbers that could theoretically have allowed schools to open that spring, although no district reached those thresholds.

At first, school closing and opening was a binary, yes or no question, as states simply mandated closure. But closure quickly became conditional, a matter of degree, or even separate from state policy. For example, even in March 2020, many schools that were closed to student attendance continued to function face-to-face in some ways as school and district staff arranged to bring meals and computer equipment to children and families in their homes. Some states allowed waivers to closure mandates for those they identified as children of essential workers, while others shifted from mandates to recommendations and allowed school districts and charters to open some schools while keeping others closed. Oregon immediately gave waivers to some rural, charter, and wildfire-affected schools to open in person.

During the first full school year under COVID-19 in 2020/2021, in contrast, the states we investigated varied widely in their policies toward school closure and reopening. State policymakers began shifting their policies during the summer of 2020 and continued to change them through the 2020/2021 school year. While Florida Gov. Ron DeSantis mandated that all public schools in the state would open, all the other states we investigated set conditions under which schools could open or stay open. These included some combination of mask mandates, social distancing, personal protective equipment (PPE), testing and quarantine requirements, infection case levels, vaccine mandates of various kinds, and submission of instructional plans to be reviewed by state agencies. But even the clearest state policies could provoke complicated or ambiguous responses. For example, when discussing Florida Gov. Ron DeSantis's Fall 2020 executive order (EO) that all schools reopen, a state education official told us:

> Many people interpreted that term "open" as "all schools must have all personnel on campus at all times to service the students and put themselves at risk." … But the intent of

being open was that "If I've got [a little boy] over there with his grandma and [the boy] needs to be on campus, that [boy] can physically come to a campus that is open for [the boy] to attend." Does that mean that [the boy is] receiving in-person instruction from a teacher on campus? Not necessarily, because if [the boy's] teacher is at risk or she lives with her parents or he lives with his parents who are at risk and they can't be out and exposed to COVID-19, well, they have the opportunity to provide that virtual instruction while [the boy is] on campus learning from that person. So, that was the definition of "open" through the intent of the EO. … We were giving districts the opportunity to be creative. Some districts ran with that. They facilitated an equitable opportunity not only for students but also for teachers.

Reopening policies also varied by sector. That is, at times states treated traditional public schools differently from charter schools, or state actors expected different responses to their policies from traditional public school districts and schools versus charter management organizations (CMOs) and charter schools. In Colorado during the fall of 2020, charter schools were perceived to have flexibility when it came to reopening in person and did not have to follow the plans of the public school districts in which they were located. A local charter advocacy group leader told us that the state had decoupled charters from their local school districts. That is, this Colorado leader said a charter school could choose to reopen even if the district surrounding it mandated the continued closure of all traditional public schools: "Charter schools now have the ability to do different things. They still have to follow public health orders of course, but don't necessarily have to follow their geographic district."

We did not find systematic data about charter school closing and opening across the country, but we infer from our interviews that there was more local variation in the charter sector on this dimension

than among local traditional public schools across our states. When asked in Fall 2020 about whether there were sectoral differences in reopening, for example, a Michigan state official told us:

> They are more likely to be open than traditional schools, but it's not like an overwhelmingly stark difference. But yes, charter schools are more likely to be offering full in person five day a week or at least hybrid instruction, more so than their public school district counterparts.

This was not true in all states, of course: Florida Gov. DeSantis mandated that all traditional public and charter schools reopen unconditionally and he pre-empted any local masking or vaccine mandates.

Institutional Dimensions of Policymaking for School Closings and Reopenings

As the research literature would predict, we found institutional continuity in expressed beliefs about the purposes, formal rules and informal norms of schooling**,** and in the structures and political processes of state education policymaking. Following longstanding rules and norms, the major state-level actors making policy on COVID-19-related school closings and reopenings were governors, state legislatures, and executive branch state agencies.

We observed important continuities in education policymaking structures and processes as governors took the lead. This happened in part because executives can act more quickly than legislatures, but it held true even when governors collaborated more broadly within the executive branches of their states. Several governors acted through executive order authority conferred on them by state law or their state constitutions. All governors consulted especially with their states' specialized executive branch agencies, particularly education departments and health departments in developing their initial responses, and all state health departments expanded their existing education policy making roles in response to COVID-19. In most of the states we investigated, governors also established special task forces to advise them about COVID-19 response, especially at first on school closing. All the legislatures in the states we studied – even the part-time legislatures that

normally meet for a limited time each year – were in session at the time of the initial March 2020 closures, and most enacted laws and budgets that generally supported their governors' actions on school closing and reopening.

The politics of COVID-19 policymaking revealed both continuities and discontinuities. Some governors did encounter pushbacks, particularly from local actors. In Louisiana, some school districts, charter school organizations, and private schools balked at the state education department's summer 2020 announcement that they would require submission of detailed in-person, hybrid, and virtual learning plans for the 2020/2021 school year. In Florida, several school districts in 2020/2021 challenged the governor's authority to mandate unconditional reopening and disallow mask requirements within schools. These were the first indications that COVID-19 might trigger deeper institutional changes in the relative education policy authority of governors vs local school districts and charters.

In Michigan and Oregon, resistance to the governors' authority came in the form of armed protests in the state capitol in April and December of 2020 (Borrud, 2021; Mauger, 2020). In Michigan this escalated to an active criminal plot to kidnap Gov. Gretchen Whitmer and hold her hostage (U.S. Department of Justice Office of Public Affairs, 2022). But resistance also came more conventionally within the state government's separation of powers system. The state's Republican-controlled Supreme Court ruled in October 2020 that the Democratic governor's actions under the state's Emergency Powers of the Governor Act of 1945 had exceeded constitutional limits. Gov. Whitmer stopped making COVID-19-related executive orders at that point, but the ones she had made before the decision remained in place. The state's legislature, despite Republican majorities in both chambers, left her executive orders in place and did not repeal the Emergency Powers Act until July 2021, leaving the law to take effect in 2022.

Colorado was a slightly different story. As we note below, Gov. Jared Polis deferred to the state's long tradition of local control in the spring of 2020 and, after mandating school closures, left it to local authorities to decide when and how to reopen them. He received pushback from officials in lower levels of government for varied reasons, with some local authorities objecting to the initial closure, and others demanding more aggressive state action to keep schools closed. But none of our interview respondents suggested these disputes led stakeholders to seek lasting shifts in the state-local balance of power in Colorado.

Despite these instances of policy disagreement and political conflict, every state we investigated made COVID-19-related school closing and reopening through their conventional systems of governance or through temporary task forces under the control of those conventional policymaking institutions, following pre-COVID-19 rules and norms. Their educational governance systems adapted to the tasks of COVID-19 and were modified in small ways only by litigation over governors' powers in Florida and Michigan. State policymakers, especially governors and departments of education and health, were pressed to very quickly enact sweeping policies that would at least temporarily deeply disrupt existing and even long-lasting state practices and relationships.

School closure was not a simple thing, as a matter of law. Laws and the constitution of every state require their government to provide open, accessible public schools for all minors (Zackin, 2013). State laws make schooling compulsory for children. All minors over the age of 5 are required to attend schools – in public schools, private schools, or through home schooling – except for documented exceptions. Any policy mandating COVID-19-related school closures had to override those laws and many others, and it was daunting for governors to do this quickly and legally even in the face of a clear crisis. For example, one Michigan state official told us:

> There is so much statute surrounding every aspect of K-12. And we basically had to go through the whole school code as well as the state school aid act. So, we have like a policy code and then we have a budget code we had to go through both of those documents which are... I mean, unbelievably long, and figure out what are all the things that we need to provide flexibility with, suspend compliance from, change kind of change the rules of the road. The biggest one is just, day and hour requirements. So [we] have a pretty traditional requirement around the number of days that schools need to be in session, the number of hours that students need to receive and it's largely seat time. How often... how much time is your butt in a seat, in a classroom, and that's how you comply and that's how you get your state aid. And so developing a new... from whole cloth, a new system for providing demonstrating that you are the instruction, so that schools still got paid so that they were still able to pay staff. Yeah, I would say that was the most critical thing at the beginning of COVID-19, that was in April.

Interest-based politics continued many of its pre-COVID-19 patterns.

School closing and reopening policies were strongly shaped by politics in ways that were consistent with the research literature on governance within state education policymaking institutions. First, as we note in Section IV, there were both consistencies and variations in who the political stakeholders were in each state, and what power resources they had available to them. As we note above, statewide public officials and agencies were always important, especially governors, legislators, and departments of education and health. In Florida and Michigan, the state supreme courts also got drawn into disputes over the relative power of governors and local authorities under their state constitutions. We found that policymaking was less contentious in "unified" government states like Colorado and Oregon, where the governor's office, both chambers of the legislature, and the state supreme court were controlled by Democrats. Even in Florida, however, where

Republicans were in full control at the state level, we found that partisan politics flared up in conflicts between the governor and the school districts of cities under Democratic control. Our other two states – Louisiana and Michigan – have divided government, and their governors and legislatures consistently tangled over school closing and reopening policy control.

Consistent with the research literature showing that teachers unions at times play a significant role in a state's education policy governance, we found the role of teacher unions in shaping a state's COVID-19 response varied across the study states. The states we investigated vary first in their laws toward unions and collective bargaining. In the states that mandate collective bargaining between school districts and teachers when teachers choose to be represented by a union (Florida, Michigan, and Oregon), adaptation to COVID-19-related school closing and reopening policies was mediated in the state's largest city by a Memorandum of Understanding (MOU) or Memorandum of Agreement (MOA) between that city's school district and its teacher union. These MOUs were widely known and controversial at the state level in every state. For example, in Michigan a state official told us

> So, I think the unions are the major reason we don't have, A, a statewide mandate for some in-person instruction and, B, why certain districts aren't able to bring kids back. It appears to be a correlation between a stronger union in a district and no in-person instruction. I really hate the dynamic that's creating them, this kind of teachers versus parents and union versus administration. I guess it's kind of always there, but those kinds of clashes. The kids lose at the end of that, it's adult problems that kids lose. So, the statewide union organizations have pushed hard for not in-person, no requirement for in-person, things like that, but then locally, I think it's playing out depending on union strength in a district and administration willingness or ability to take them on. And I don't think it's always willingness. I think

sometimes that's... Again, you can even hear my language. It's confrontational, but I think it's confrontational in a lot of places.

Only in Louisiana, where collective bargaining is allowed but not required and teacher strikes are barred by law, did teachers unions not appear to be significant participants in COVID-19-related school closing and reopening policymaking statewide.

Stakeholder ideas about educational goals played out in complicated ways.

Second, we should note the political importance of ideas in all these states, particularly ideas about the goals and purposes of schooling. To begin with, state school closure and reopening politics was often driven by state norms and relationships established well before COVID-19. An important dimension of this variation is the degree of deference – in actual practice – to local versus state-level control of education policy. In Colorado, for example, the Governor increasingly came to prefer opening schools, both because he thought online learning was less effective and because he wanted parents to be able to get back to work. He nevertheless acknowledged what he called the state's strong tradition of local control by school districts, and mostly resorted to using public exhortations rather than edicts. As one Colorado state official told us, "We are actually one of the most local control states. ... So, we don't tell the districts what to do very often. And so a lot of our work has been trying to use the governor's bully pulpit to bring attention to these issues of why it's really important to enroll."

Perhaps even more importantly, and consistent with Labaree's (1999) expectations, leaders and activists in every state expressed many different goals during debates about school closing and reopening in response to COVID-19. Unsurprisingly, we consistently encountered arguments about student learning: how closing or reopening, or various conditions or instructional practices, would affect what and how students learned. There is a long list of goals that interview respondents told us

school closing or opening could serve, including academic learning, equity of learning, learning about racial justice and issues around health and safety, including mental health.

As Labaree would lead us to expect, we often heard people express many of these goals all at once, in ways that gave no obvious direction on whether schools should be closed, open, or some blend of the two. Consider two examples from our interviews. In one, an Oregon state official spoke about advancing equity goals as rationales for both reopening and closing schools - reopening to help students needing special supports, but staying closed to protect the health of communities disproportionately affected by COVID-19. In another, a Michigan state official spoke about the challenge of providing school-based nutrition to students who attended one school pre-COVID-19, but might receive support from a different school or system under pandemic restrictions.

Perhaps the deepest political divide was over the economic impacts of school closure and opening. This arose first in March 2020 when people came to recognize the need for "essential workers" who might have school-age children at home. Several of our interview respondents acknowledged the necessity of providing in-person learning – and with it, custodial childcare – for their children while they were working. As the days and weeks of school closures went on through the spring of 2020 and the broader economy of the US and the world began to stall, economic arguments often grew more intense. State policymakers came under tremendous pressure for all kinds of reopenings, from stores and restaurants to factories and other businesses to schools.

In all, we observed that the COVID-19 crisis drove continuous, time-consuming, and often contentious state-level policy action focused on school closing and reopening. And yet we saw little evidence that any important education policy stakeholder even thought about "breaking" a major institutional feature of American public education by ending the tradition of near-universal in-person schooling.

A. Budgeting: Short-term adaptations to radical disruption in school finance

This section describes dramatic school finance policy changes enacted by states as COVID-19 disrupted the national economy and asks whether these disruptions showed signs of triggering lasting impact on state policymaking institutions by the end of the 2020/2021 school year. School finance is especially relevant here because although most schools are administered at the local level, state governments provide or control a significant share of their budgets. In the year before COVID-19, the National Center for Educational Statistics reports that the state shares in the cases we investigated ranged from a low of 39% of funding in Florida to a high in Michigan of 60%, through Colorado at 42%, Louisiana at 43% and Oregon at 53% (Annual Reports and Information Staff, 2022). State governments have played an important role during the pandemic as conduits for hundreds of billions of dollars targeted to schools through the federal Coronavirus Aid, Relief and Economic Security (CARES) Act of 2020 and the American Rescue Plan of 2021 (Duncombe, 2021).

We focus here especially on four particular COVID-19-related challenges to state budgeting that stood out in our data: disruption to enrollment-based funding, challenges to funding off-site schooling, support for vulnerable children and funding policies for new choice options.

States Suspended Attendance-based Budgeting

Prior to COVID-19, most states based their school funding formulas on some version of enrollment and attendance counts, distributing money on the basis of how many students spent how much time in schools and classrooms (Baker, 2018). Once the pandemic hit, the respondents we interviewed across the five states reported fears that in-class enrollments would decline dramatically as schools closed and then as parents balked at sending their children back to school even when they were reopened. The funding issue that loomed the largest in interviews across the five states was the concern that enrollment-based funding by the state would decrease revenues to the districts as large numbers of students either were not learning on site or were unaccounted for. Policies in place

regarding funding of distance-learning students were underdeveloped and not well aligned to the reality of large numbers of students learning remotely or potentially migrating across districts, schools and sectors as COVID-19 disrupted households.

All five states addressed these potentially devastating revenue impacts in the spring and summer of 2020 by enacting "hold harmless" policies that maintained funding based on pre-COVID-19 enrollments. That is, they pledged not to financially penalize districts and schools if COVID-19 led to in-person enrollment declines. These hold-harmless policies ensured some degree of fiscal stability to district and schools during the re-opening of schooling in fall 2020.

Different states addressed the enrollment-based funding issue in different ways. Oregon provided funds to the districts in summer and fall 2020 based on their December 2019 enrollment calculations. Florida, likewise, stayed with funding 2020/2021 based on enrollment predictions that had been conducted in early 2020, just before the pandemic emerged. According to interviews in Colorado, there was an initial blanket waiver on seat time requirements for school districts (but not for charters), while later guidance included waivers on seat time and attendance and that applied to both charters and districts. Interviewees note also that the Colorado state budget was not in good shape in early 2020 when the pandemic broke out, putting considerable pressure to use other funds to backfill.

We found much more variation in state policy as the pandemic wore on, as the 2020/2021 budget cycle arrived and challenges to student learning became more apparent. For example, though Florida Gov. Ron DeSantis' Executive Orders initially established blanket hold-harmless provisions, the policies became more specific and detailed with time. The initial provisions were put in place prior to the beginning of the fall 2020 academic year. One Florida state policy expert explained the reasoning behind the hold-harmless provisions for the re-opening in Fall 2020:

> What's best for students? What's best for the districts? That's an opportunity to make decisions for their area that's going to be best accommodating for those families without penalty of losing resources. That's where that big part about it being a hold-harmless, because the budget every year, as I'm sure you're aware, policy wise is determined in July before we even start schools, which doesn't happen until August, sometime September. And then from there, we have the 20-day counts, saying that these are the number. … And it should not go unnoticed that in Florida, school districts are generally being held harmless in terms of the loss of students. . . . It's worked out very well considering the magnitude of the problem and the uncertainty of the issue…. I mean we're going down a different path that we've never been before. How do you plan for that?

These provisions remained in place in Florida through the end of the 2020/2021 academic year as well. However, the state did put more pressure on districts to locate all students unaccounted for and for as many students as possible to be learning in school, not remotely. The state added provisions for spring 2021 requiring districts to document that they had affirmatively reached out to parents and others to try and identify students who were unaccounted for and to require attendance in school unless the parents affirmatively documented that they did not want their child to attend in-person and state the reasons.

Adapting to Rapidly Changing Modes of Delivery

The second COVID-19-related budgeting challenge states grappled with was how to fund instruction occurring in rapidly changing and diversifying in-person and remote modes of delivery. Prior to the pandemic, states had very different remote learning finance policies and very different online landscapes. Some states had state-level and district-level virtual schools; some states had virtual charter schools. Likewise, state policies on how to count enrollment in virtual settings differed overall and the degree to which state policy had already accounted for different modalities

varied. By fall 2020, states were facing a very complex set of modalities: traditional in school learning, remote learning and hybrid models mixing both remote and in-person learning. This very fluid situation confounded funding policies that, in most states, were based on some version of seat-time, daily attendance, number of hours in school and number of days in the year. The complex picture of schooling that emerged almost overnight for the fall 2020 re-opening cut across a multitude of accounting and financing policies.

Michigan addressed the issue by modifying its attendance calculations through blending the 2019/2020 attendance count with the 20202021 count. According to one Michigan policy maker, "I used a broad category of 'pupils engaged in pandemic learning' to capture the variation in delivery modalities used as a result of the pandemic" (Syverson, 2021).

A policymaker we interviewed recounted how these issues arose in Oregon. The issue was a fear of massive shifts in enrollment from in-person schooling (traditional district schools) to virtual charter schools, as parents looked for what they hoped would be safer learning environments for their children. Oregon chose to put in place a pause in enrollment until the uncertainty died down:

> The biggest piece that has come up over and over, just even from March of this year [2020] until now, has been the virtual education. There was this fear, rightly so, that parents and students were going to flee this shutdown, initial shutdown, and this distance learning and the chaos and all of that, and just jump ship right into virtual schools. And so, for a period of time**,** it was just a couple of weeks, we paused virtual enrollment in Oregon. Everybody had to stay where you were and do that, unless of course you moved from one district to another, then of course you would have the right to transfer districts. But we just said, 'Everybody pause enrollment. Let's just figure this out and not disrupt the whole...' Because all of our funding too, that would disrupt our funding streams and what districts' enrollment would look like.

Florida also tried to get ahead of the uncertainty in its budgeting for 2020/2021. As they had in the spring of 2020, Florida decided to continue funding districts for students learning remotely at the same level as in-class students, thus temporarily suspending potential revenue decreases if, as feared, district enrollments plummeted. The state also amended its pre-pandemic state policies that had differentiated funding for students learning virtually. They were adjusted to make the funding levels and the funding process more like regular in-class funding policies. The state reimbursed districts for virtual students at a level similar to the one for in-class students. In a departure from previous policy that reimbursed districts for students in virtual programs, the state based the funding on "participation" rather than "course completion."

Budgeting for high-need student populations.

Third, the 2020 spring and summer shutdown raised concerns about especially vulnerable populations and how to mitigate harm to disadvantaged students and their families. Florida acted during the 2020/2021 school year to extend the period English Language Learner-designated students remained eligible for special services, allowing students to continue to receive special services and districts to receive the related supplemental funding.

The level of fiscal and budget uncertainty was high and remained high for an extended period. The interviews we conducted clearly showed the stress states and districts were under, the unprecedented issues they were facing and, in places, remarkable flexibility and ingenuity in addressing them. In Oregon, the interviews showed the level of stress around unresolved policies that were piling up. The lack of clarity was accumulating in several different areas simultaneously - funding policies for charter schools, provisions to release a special pot of funds only for schools with more than a certain percentage of high-need children, delays and confusion around application process and timelines and shifting priorities as projections of the pandemic and its toll on schools

and families changed rapidly. One Oregon state policymaker voiced frustration at the shifting policy landscape while also acknowledging the challenges the state was facing:

> I guess this is a hard thing … there's a tension between meeting the needs of all students during this challenging time and identifying students who are most at risk of being disconnected or not having the opportunity to have their social emotional needs met. ... You can see their tension where they're responding to the political desire to [send] dollars to all kids versus the knowledge that doing that dilutes the dollars anyways, and does not help us better reach kids who most need the connection and support. So I love that that's part of the forefront of the work and that work is paying off because even what the governor's proposed budget for our new budget, it includes work around the hiring and retention of educators of color, protecting our black and brown families, individuals, making sure that they have equal access to education. So, our voices are being heard at the high level, which is fantastic.

Budgeting for non-traditional public schools

The fourth COVID-19-related budgeting challenge faced by states was funding the new school choice sectors that have emerged since the 1990s. In the two states with voucher-like programs – Louisiana and Florida – finance formulae included some combination of seat-time, daily in-person attendance, number of hours in school, and number of days in the school year, all of which had been upended by the pandemic.

There were similar uncertainties around the process for the release of funds for which charter schools were eligible. As was the case with traditional public schools, charter school state funding policies had at least some of their funding formulae based on seat time and attendance. This varied somewhat by whether charter schools in a particular state received the funds directly from the

state or whether the funds were first sent to the district which in turn provided the funds to the charter school or, as was the case in several states, a combination of both.

For example, in Colorado, where most charter schools are not LEAs and are thus not fiscal agents, the districts were responsible for distribution of the federal COVID-19 Relief Funds to the charter schools. However, the state also runs a charter school program (Colorado Charter School Institute) directly. In this case, it fell to the state to ensure that the Institute schools received their appropriate share of the funds. However, there were some misunderstandings, according to one state official:

> And then we also put money into our direct charter school program, which is the CSI program, where they're not authorized by districts. So, I think we did the right thing from the charter perspective. Where we got into trouble... I should say, people got mad that we treated charters like traditional public schools and so that was a dynamic that we had.

Consistent with our other cases, Colorado state policymakers worked to ensure that non-traditional schools had the resources they needed to continue operating during the pandemic.

Institutional Dimensions of Policymaking on Budgeting and School Finance

As with school closures and reopenings, in COVID-19-related state budget making we found significant institutional continuity in purposes, formal rules and informal norms, and structures. Policymakers consistently focused on the exigencies of COVID-19 in their budgetary work and expressed commitments to supporting the state's core educational goals and sustaining viable school systems. Governors and state executive branch agencies – especially education departments – took the lead and talked openly about how their work was consistent with pre-COVID-19 laws, rules, and norms, and they worked within existing institutions. The pandemic certainly challenged their work within these institutional constraints, but in budgetary policymaking the stakeholders remained largely the same.

It's important to note things that did not happen institutionally. Despite making major short-term changes on school finance, policymakers in every state we studied avoided making long-term changes to how they funded public education or how their state relates financially to their local school systems. We looked for indications of possible long-term changes in three areas: changes to state constitution obligating school funding, changes to the major components of school financing formulae, and changes to the state-level structures that govern education and education financing.

State constitutional language continued to drive budgeting for schools. While historically no state has tried to abandon its constitutional mandate to provide a free public education to all children, minor changes to the wording in the state constitutions occur periodically, sometimes instigated by legislative action and citizen-led referenda. Nowhere in the interviews with state policymakers and with state level actors did we find evidence of serious discussions of, much less actions taken to amend the language in the constitution. The state's "establishment" clauses which obligate the state to provide a free public education to the children of the state were at issue in other ways, but no proposals were advanced to alter the fundamental obligation of the state.

Nor did any of the states we investigated even consider substantially altering the basic components of school governance that control funding in response to pandemic challenges: state executive structures such as gubernatorial powers, the structure and composition of state boards of education and role of local school boards as the states responded to the challenges of the pandemic. Initially, silence on these questions could have been a function of the timing of legislative sessions. For example, in Michigan, as noted in one of the interviews, influence shifted across branches somewhat based on timing and the calendar for legislative sessions. " . . . the Governor used Executive Orders to assert budgetary discretion immediately and broadly." However, as time wore on, the legislative branch became more involved. One of the interviewees, noted that by summer 2020, the legislature "fleshed out budgetary changes in more detail."

None of the five states made substantial changes to their school financing formulae, the formulae which govern the relations between state and local districts around financing of the K-12 public school system. We found no evidence of any discussions of actual or proposed changes to the basic, underlying formulae with which the states underwrite and allocate funds to their K-12 system. This is despite the fact that all five states have a "student-based foundation" funding system which arguably could make them particularly vulnerable to the vagaries of the pandemic-induced enrollment shocks.

Politics as defined by partisan affiliation did not appear to account much for decisions made by the five states around the basic budgeting and funding of the state's K-12 systems. There appeared to be strong agreement that the state had to continue funding the schools as close to the pre-pandemic levels as possible. One could assume that the basic value of K-12 education was never contested and the fears of further contributing to even greater unemployment argued against any budget reductions that would only exacerbate rising unemployment.

Many of the interviews showed strong agreement among diverse stakeholders that overall budgetary stability and predictability needed to be protected and, as possible, ensured. Disagreements tended to play out in policies that did not affect the overall funding of the state's K-12 systems and were most prominent in issues that differentiated by sector or delivery mode. For the most part, these had been unanticipated and most of these were resolved, at least temporarily, in no large part, presumably, by the widely shared desire to keep the fiscal foundations of the system stable.

Institutional stability continued amid deep policy disruption. We also saw no fundamental changes to the states' division of budgeting responsibility between levels of government. This included states' constitutional obligations to provide for public schooling and the funding formulae that distributed the funds across the districts. In this sense the fundamentals of state-level school

financing were sufficiently robust to keep the system in place and functioning. That being said, there were considerable points of stress that required addressing. For the most part, this was accomplished through temporary policies such as hold-harmless or suspension of standard policies as well as minor tweaks and adjustments. What was clear was that the states and districts were experiencing new situations that the former policies had not planned for. For example, there were several situations in the five states where there was, at least temporarily, a palpable fear of loss of enrollment which would drive a loss of funding. That was true for private schools who feared parents that lost their jobs might transfer their children to public schools. It was true for public and private schools who feared loss of funding due to parents choosing virtual schools in order to protect their children's health. The interviews suggested that states had not previously contemplated large shifts across sectors or across districts and did not have policies in place to regulate the process or to manage sudden large shifts in enrollments.

Points of tension and confusion surfaced throughout the 18 months of data collection, particularly around funding policies that differed by sector. The interviews also surfaced a number of gray areas that resulted in initial confusion, a confusion that sometimes resulted in the drawing back of originally promised funds and in misunderstandings as to why one set of policies might be in place for one sector or another at different points in time.

But for the most part, these tensions relaxed over time with tweaking of the policies, better communication around new policies, clarification of some of the confusing aspects of the new policies and, eventually, the addition of new funds as the federal COVID-19 Relief Funds were authorized and available for spending.

It is important to underscore the two developments that played important roles in mitigating and smoothing out the revenue picture. First, the states did not experience anywhere near the budget shortfalls that had been anticipated. And second, the federal relief funds began to flow

before the beginning of the 2020 school year and over the course of the year the amounts more than tripled with each subsequent set of appropriations.

B. Assessment and Accountability: Disruption at the Heart of Systemic Reform

In keeping with the logic of the systemic reforms that states have embraced since the 1990s, all states we investigated assess stakeholder and student performance from the bottom to the top of the K-12 educational system on both academic and non-academic matters (Goertz et al., 1995; Smith & O'Day, 1991). States regularly assess students, teachers, administrators, special education providers, schools, and districts, and they enact policies seeking to hold these various actors accountable for their performance on dimensions including individual student behavior, achievement, health, and progress; teacher and administrator qualification and performance; and aggregate school outcomes. Further, state policies tie these assessments to many other policies, including academic credit, school and program funding, teacher and administrator licensure and compensation, and even whether schools are allowed to keep their doors open. We took a broad approach in our inquiry into COVID-19-driven changes to state assessment and accountability policies to include policymaking on more than just state assessments of student academic achievement, and indeed on more than just students.

We found that the COVID-19 pandemic significantly shaped and constrained assessment and accountability policies in all five states. This happened quickly because of the closure and reopening policies we report on above—with schools closed, students were not physically able to sit for exams, especially standardized tests, and not every student had access to instruction available to them before the pandemic. State policymakers were pressed to act quickly: schools closed in mid-March, and most states conduct student academic testing in April.

In answer to our first research question, about what changes state policymakers enacted in response to the COVID-19 pandemic, we identified four key findings in states' assessment and

accountability policy responses, though not all findings were from all five states. First, there was a shift in interest by state policymakers from statewide, standardized assessments of student learning to tests that could provide more locally-useful information on student progress. Second, policymakers were forced to rethink what is meant by equity and how it might be measured. Third, they changed, modified, or paused how they evaluated teachers and schools. Finally, they developed alternative approaches to accountability. For the most part, we found that policymakers viewed these as short-term policies that did not trigger consideration of lasting changes in the education policymaking institutions of their states.

Policymakers struggled to keep track of student progress

In Colorado, Florida, Louisiana, and Oregon, policymakers we interviewed told us of a pandemic-induced shift in focus from test-based accountability to monitoring the progress of students. Interview respondents in these four states reported that state policymakers recognized they had to change the focus and form of assessments but were not willing to abandon Spring 2020 assessment altogether as they had done in Spring 2019. They explained that it was important to inform students, their parents, and teachers of where the students were heading and to help identify students in danger of falling behind, even if the measures of the assessment were not used for high-stakes decision-making. For example, a Colorado state official told us:

> I mean the governor [Jared Polis] is focused on getting as much information as we can about learning. I mean, he comes from very much the supportive of testing and accountability, and our office is like a dying breed of people who believe that annual assessments are good. And so maybe researchers probably are too. But I think we're going to push on this and we're going to try our best to do some sort of assessment. I think if we don't, if it looks like again, like butts aren't in seats and we really can't do it, we're brainstorming other options around interim assessments and even assessments in the fall or... The most important thing to us is

> not that it informs accountability, but that parents have a better sense of where their kids are and we just don't think it's fair to not do that.

Amid dramatic changes to policy in response to COVID-19, Polis and other Colorado policymakers saw their work as a continuation of their focus on the core purposes of assessment and accountability. A Florida legislative staff member expressed a similar view:

> There has been a huge push for additional progress monitoring items in place, not from the perspective of saying, "Hey, we need more testing," but very much in the same way that as a teacher, if I am looking at my sixth period class, it's important that I know where each of my students is at all times. So that I'm facilitating that learning. That's the lens that we've been approaching those additional progress monitoring.

Student progress would take on different meanings during COVID-19, of course, and they would have to assess it in different ways, but policymakers' underlying views about the educational role of assessment and accountability remained fixed.

Reckoning with the pandemic's impact on equity in assessment and accountability

In two of the states we investigated, Florida and Oregon, interview respondents noted increased attention under COVID-19 to the impact of test-based accountability policies for marginalized students. For example, a state-level actor in Florida expressed concern that marginalized students would fall farther behind if Florida discontinued testing:

> I think that the knee-jerk reaction, which was probably appropriate at the time to say, we are going to not have tests this year without any really meaningful … thought or dialogue around, what are the alternative methods that we could use here? How could we actually make this work? Can you decouple the test from the accountability system in a way that provides us with the information we need to know? All these predictions about learning loss are great, but [we] want to know how much learning did my kid actually lose? So, I think

> that, that's a place where we know who's going to suffer the most from that. It's not going to be wealthy children [...], that's going to be the most vulnerable children. And I don't know that any state including Florida is reckoning with that to the extent that they should. And we at [Florida, Advocacy Organization 1] are very, very focused on trying to help states rethink what accountability can look like before it's just completely gone, because that's the big fear, right? Is that it's just going to go away.

Their commitment to assessment and accountability remained stable, but these policymakers recognized early signs that COVID-19 would have disproportionate impacts on vulnerable children and families, and expressed a commitment to limiting those harms.

More proactively, Oregon's Department of Education directed districts to change the grading system and provided a specific guideline on graduation in order not to penalize marginalized students. A state-level actor there told us:

> Because of the issues around internet access or the lack of internet access, they changed all the grades to pass/no pass, basically the state, so that students in our marginalized groups wouldn't be penalized for something that they could not control. And so that was kind of the focus.

Taken together, the concerns we encountered about how important it was to assure equity in student assessment policies under COVID-19 led to divergent views about specific policies. It's important to note that these concerns did not necessarily lead to agreed-upon policy directions. On one hand, interview respondents sometimes argued that continuing some version of the then-existing testing system could harm marginalized students. At other times, respondents argued that those same students could be harmed by the suspension of the system.

Struggling to rethink evaluation of schools and teachers in the absence of student testing

Suspension or modification of student achievement testing in response to COVID-19 had ripple effects far beyond the experience of students themselves. Many states use student test scores in their evaluations of schools and teachers. States, school districts, and charter authorizers often use student test score data to evaluate schools and guide interventions up to and including the closing of schools and non-renewal of charters. Likewise, school districts, Charter Management Organizations, and individual charter schools often consider student test score data as they make teacher hiring, evaluation, and retention decisions. In the states we investigated, interview respondents showed a clear awareness of these ripple effects and worked to develop short-term adaptations.

Respondents told us that state policymakers in Colorado, Florida, Louisiana, and Michigan all changed state policies using student achievement tests to guide evaluations of schools and/or teachers. They acknowledged that the core reason for these changes was that students' test scores could not be systematically collected as an indicator. Oregon's state Department of Education announced in late March 2020 that

> ODE will not produce Accountability Details Reports based on 2019-20 data. ODE is reviewing the effects that school closures and this waiver have on data collections and validations for this spring and summer" (Oregon Department of Education, 2020).

Nearly eighteen months later, they announced that "ODE will not require the submission of summative ratings with the Principal and Teacher Evaluation Data Collection for SY 2020-21" (Oregon Department of Education, 2021). In both of these cases, the state's announcement simply acknowledged the reality that the data necessary for those reports and evaluations didn't exist.

Policymakers in Colorado, Florida, and Louisiana also decided to temporarily suspend the use of students' test scores in teacher evaluation. In Florida, other measures of potential use in evaluation were also not available at this time as schools and district grading were suspended, some teacher credentialing halted, and annual norm-referenced tests, administered in private schools to

students participating in the voucher programs, were also suspended for the 2019-20 school year. In Michigan, the process of data collection for annual teacher evaluation was suspended while extending time for teachers to make progress toward goals, although the evaluations of charter schools for renewal were left to the authorizers, not to the state. Of course, there still remained some cases where high-stakes decisions were made for schools, but it was done in a form of rewards rather than punishment, as identified by a state-level policy actor in Louisiana:

> If you're still in the intervention requirement [of the Every Student Succeeds Act (ESSA)], you're still there. If you can prove that you're out, based upon this year's data, then you can move out. But no one's going to be put in. Although that's it, that's the current step. They said that the current U.S. Department of Ed has already sent guidance that they're okay with that.

In all of these cases, states had spent years building complex accountability systems built on data from annual student assessments. They suspended these systems using language that suggested they viewed the suspensions as temporary, with expectations that they would put them back in place once COVID-19 had passed.

Developing alternative measures of accountability

Finally, policymakers in all the states we investigated looked for and, in some cases, created measures of accountability other than test scores. One approach was to encourage districts and/or schools to develop explicit operational plans for how they would safely deliver education and other services in response to the COVID-19 pandemic and report those plans to their state departments of education.

The states we studied approached these plans in diverse ways. Florida, Michigan, and Oregon required districts and/or schools to submit their operational plans in response to the COVID-19 pandemic and make the plans publicly available. In contrast, Colorado and Louisiana

state-level policymakers published guidelines for minimum health and safety standards applicable to every school in the state, then encouraged local authorities to create their own detailed reopening plans consistent with those standards.

Notably, these reports focused on school processes rather than students' educational outcomes. One of the intentions of the states creating these reporting systems and requirements seemed to be to avoid imposing more burdens on districts and/or schools already struggling with the pandemic. At the same time, they also worked to enable parents and students, districts and/or schools, and even the general public to see that they could oversee and enable school accountability and quality even amid the pandemic. When asked how they were overseeing schools, one state leader in Oregon told us that the plans themselves could be considered a component of accountability:

> Part of the answer is that by requiring all those districts to be turning in their blueprints. And I know that that's not necessarily an assurance of quality, we get that, but it was one level of accountability, 'How are you doing this? What's your plan?' All of those kinds of things. Our school standards are still in effect. There's been a couple that have been waived, but for the most part, they're still sitting there. So that's another level of accountability. We also had the districts and the schools, everybody posts their blueprints in very public locations where people could find them, like on their webpage, in addition to ours, so that members of the public could see what they were doing. We have a complaint structure set up and folks are definitely taking advantage of it. And it's not just–its complaints certainly around health and safety – but other types of complaints like, 'This district is not complying with RSSL [The Ready Schools, Safe Learners—Oregon state-governmental guide],' that kind of stuff. So those are some of the measures of accountability.

Other alternative school reporting requirements included attendance, credit attainment, graduation rate, students' engagement, and benchmark assessments, as a state-level policy actor in Oregon noted:

> And so we got a little bit of pushback, but that's another decision that may be unpopular, we think was a good one. We think that for this year only that a benchmark assessment like an NWEA or an iReady is a more appropriate tool to use than a more summative high stakes assessment. We will see if we have a new secretary of education come January, I think it... There's a... Certainly a possibility that, that decision around waiving state assessments might be, certainly could be, re-looked at.

Despite variations in details, the five states showed a similarity in the areas of assessment and accountability in that they all responded to the COVID-19 pandemic by temporarily adjusting pre-existing policies. We heard no indications that stakeholders in any state viewed these changes as anything other than temporary. There was no talk of rethinking the foundational role of assessment and accountability in current institutions of state education policy.

Institutional Dimensions of Policymaking on Assessment and Accountability

As with school closings and reopenings, state policymakers enacted these dramatic changes as short-term measures within the bounds of existing institutions. In the early months, governors responded to the urgent situation by using executive orders to make policy changes to adapt to the new conditions in schools, and legislatures confirmed and built on these initial changes. Not only did they continue to work through pre-COVID-10 policymaking channels, but they also continued to express pre-COVID-19 goals, reaffirming their commitments to keeping assessment and accountability at the heart of their work with school systems and schools.

With minor modifications, the usual executive and legislative actors remained the prime movers of state-level assessment and accountability policy under COVID-19. This varied, of course,

as in the case of schools publishing pandemic operational plans. In some states, this took the recognizable form of compliance and input-based accountability. Other states allowed school districts to make their own pandemic operational plans, consulting with and deferring to local stakeholders, however temporarily. To put it the other way, those districts (and schools) were not just evaluated but also got more involved than before in establishing the assessment and accountability policies. There was similar variation in the assessment and accountability relationships with charter operators. In some states local actors (both authorizers and local districts) had more say over the decisions around assessments and accountability measures. Nevertheless, the states continued to mandate the use of assessment and accountability systems in some form.

Government officials also engaged non-governmental actors commonly involved in state policymaking. In Colorado, for example, stakeholder groups were mandated by law to get involved in the process even before COVID-19. As one Colorado interviewee noted:

> In the School Finance Act last year, they … mandated a stakeholder group be convened by the State Department of Education to deal with and provide recommendations to the legislature on testing, accountability, and educator evaluations.

In some states, charter school authorizers retained significant influence over the assessment and accountability policies that affected them both before and during the pandemic. In response to the question of whether the state has a role in holding charter schools accountable, a state leader in Michigan pointed out that those decisions were usually made at the local level and that remained the case even during the pandemic:

> So, any decisions about charter closure [will happen] at the authorizer level and they have autonomy to make those. Most of them have pretty well built out internal processes for what they look at, the data that they're using. A lot of them use benchmarks anyway. Actually, many of them don't use the state data a ton to make those decisions regardless. So, I think

> actually the decisions on what to open, what to close based on performance for charters will be less impacted by this [the pandemic] than some, because they are so autonomous and do it their own way and their own way, largely depend on the state anyway. So, they kind of have their own pipeline.

As mentioned earlier, in the first months of the COVID-19 pandemic, policymakers in all five states believed they had no choice but to close schools, and thus normal assessment and accountability policies had to be suspended. This meant that there was less need for stakeholders to politically struggle with one another to shape specific policies. As an interviewee in Colorado noted:

> I'm an accountability hawk on the policy side of these things but again, there was no way to administer assessments or do any data collection that was rigorous and could be used for accountability purposes, or it seemed that, that's how it felt to people who are close to things. The tests were canceled and there was really not a batting of an eye.

This finding—that there was no intense political wrangling—seemed to hold true even after schools resumed classes, whether face-to-face, virtual or hybrid, despite some minor points where no consensus was found (e.g., Colorado's state legislature's lack of consensus on whether to administer the state summative assessment for language arts and math). Perhaps this was due in part to the fact that the pandemic was far from over as decisions were being made—i.e., school reopening as a context for test-based accountability occurred not after the COVID-19 pandemic but still under it.

However, apart from the focus on safety, two additional issues were highlighted in the politics of assessment and accountability after school reopening under the pandemic. The first was fairness: as discussed earlier, the perception that the assessment of students and evaluations of schools and teachers based in part on student testing could not be fairly applied for all students, schools, and teachers was widely shared across the many policy actors in the five states. The second was accountability-as-monitoring: many interviewees tended to agree that accountability was not just

for rewards and sanctions but for monitoring progress and providing information necessary to support those lagging behind. These two shared ideas stood out and then facilitated collaborations, avoiding at least some political tensions among policy actors and stakeholders. In a sense, it may explain why the state-level governance of assessment and accountability revolved around the governmental actors as usual and why states' policies responding to the COVID-19 pandemic were generally similar in the areas of assessment and accountability.

VI. CONCLUSIONS AND IMPLICATIONS

In answering our first research question, we found a remarkable effort by state governments – in collaboration with federal and local governments, as well as private sector actors – to respond to the COVID-19 crisis and the dramatic shocks it brought to the educational system. State authorities responded rapidly to address the threats to public health, child and adult well-being, and learning. Our interviews and documents show actors at all levels trying to better understand a rapidly shifting set of threats, to utilize the policy and fiscal resources at their disposal, and to identify and address the needs of the most vulnerable. In answering our second research question, we found that despite the stresses of the pandemic crisis and the sometimes radical policy changes state policymakers enacted, state education governance and policymaking institutions remained essentially intact on every dimension and the disruptions of the COVID-19 crisis did not trigger efforts by these stakeholders to seek institutional change.

Consider the institutional dimensions of state education policy making in turn, starting with its core purposes and goals. On one hand, we have shown the power of the crisis – at least temporarily – to bring previously unimaginable change to what Tyack and Tobin (1994) have called the "grammar of schooling," including children being provided in-person, face-to-face instruction by teachers in physical school buildings, surrounded by their peers. In the area of school closing and opening, for example, state policymakers upended the requirement that most students be physically

present in school and severed the connection between instructional time and academic credit. States also suspended the century-old system of enrollment-based funding for schools and suspended student testing and many accountability measures. What is also clear, however, is that state policymakers enacted these new policies in pursuit of the traditional goals identified by Labaree and other educational historians, including provision of schools that prepare students for democratic citizenship, help prepare them to enter the workforce, or enable social mobility.

The rules and norms of state education policymaking also continued to be contested within familiar bounds. For example, policymakers in most states had debated how best to organize the provision of K-12 education for decades before the pandemic hit. Most states, including those we investigated, had adopted or had experimented with different types of systems, such as open enrollment, charter schools, virtual schooling and voucher systems, for a number of years prior to the pandemic. Our findings suggest that while the regulatory armature supporting some of these relatively new initiatives was fragile or incomplete and state responses to the pandemic got caught in unclear expectations or roles in these new spaces, none of the major state policymaking stakeholders advocated using the pandemic as an opportunity to make permanent change. Policymakers consistently approached COVID-19 as an urgent but temporary problem requiring temporary rather than permanent remedies.

Third, we found that the structures of state education policymaking remained resilient through the first 16 months of the COVID-19 crisis. Initial responses were concentrated in governors' offices and executive branch agencies, especially state education and health departments, although specific roles varied among the states. Executive powers specified in state constitutions and statutes allowed for quick and decisive leadership and policymaking in the initial weeks and then more gradually through the 2020/2021 school year. We did not find that the roles of the state departments of education varied. In all five cases, they served the expected role of implementing

executive orders and legislative decisions. Over time, state legislatures and, less frequently, state courts were drawn into the decision-making and drew upon their powers to also assert their roles and preferences, sometimes in support of the executive and sometimes not. We saw some minor changes in the roles of governors in Michigan (where the state supreme court asserted constitutional limits on the governor's emergency power) and Florida (where the state court endorsed the governor's assertion of increased control over school districts on masking and other practices). It is possible that COVID-19-driven changes in state achievement testing mandates may give school districts and LEAs greater autonomy in shaping their own assessment and accountability systems after decades of growing state authority in these matters, but that remains to be seen.

The pandemic also exposed how broadly state policymakers have integrated test-based accountability into how they oversee and manage their K-12 systems. As testing was suspended in spring 2020, primarily for health reasons, the other state education policies tied to testing results (such as student retention and promotion, teacher certification and evaluation, school evaluation, ELL certification and others, depending on the state) had to be suspended as well. Likewise, the role of assessments in identifying the most vulnerable students was also exposed. Policymakers were concerned that in a pandemic where there is considerable evidence that the most vulnerable students may have been experiencing the greatest learning losses, the absence of assessments would make it even more difficult to understand and address the losses.

Governance patterns within these institutions remained relatively resilient as well, starting with the stakeholders of state education policymaking. Political parties played a role in COVID-19 responses in ways that varied by state and by issue. Partisan affiliation, unified vs. divided control and relative strengths of teacher unions proved to be factors in the decision-making process and in the nature of the decisions. Likewise, despite the novelty of COVID-19, the broader ideas being contested remained familiar. The vitriol surrounding public debates about school closing and the

conditions placed on reopening - masking, vaccinations, and more - show that COVID-19 has drawn K-12 education further into the partisan polarization that plagues American politics today. Importantly, we did not hear that kind of vitriol or polarization from our interview respondents, which may be evidence of the continuing strength of what Henig calls the exceptionalism of education politics and policy in the United States (Henig, 2013a). One possible focus of future research would be whether and how state education policymakers can avoid polarization in their work.

The COVID-19 pandemic is a challenging case study of resiliency and of crisis policymaking. The states we investigated certainly have experience with crises: hurricanes, blizzards, and school shootings, among others. But even the worst of these – Katrina in Louisiana – was a relatively brief storm, despite its long aftermath. COVID-19 is unending on every dimension of crisis named by Boin (2019), Kettl (, 2014), and other scholars. We have long since passed the previously unimaginable threshold of a million COVID-19 deaths in the United States, and although the threat of the disease may be diminished somewhat by vaccinations and post-disease immunity, hundreds of people across the country continue to die every week. No one knows how long COVID-19 will last before we finally – if ever – bring it under control. We should perhaps look to the history of wars and plagues for comparably open-ended and deadly crises to help us understand how we might analyze and improve our policy responses to COVID-19.

SOURCES CITED

Baker, B. D. (2018). *Educational inequality and school finance: Why money matters for America's students*. Cambridge, MA: Harvard Education Press.

Ballotpedia. (n.d.). *School responses in Colorado to the coronavirus (COVID-19) pandemic*. Ballotpedia: The Encyclopedia of American Politics.

https://ballotpedia.org/School_responses_in_Colorado_to_the_coronavirus_(COVID-19)_pandemic. Accessed July 23, 2023.

Baumgartner, F. R., Jones, B. D., & Mortenson, P. B. (2017). Punctuated equilibrium theory: Explaining stability and change in public policymaking. In C. M. Weible & P. A. Sabatier (Eds.), *Theories of the Policy Process* (Fourth). New York, NY: Westview Press.

Béland, D., He, A. J., & Ramesh, M. (2022). COVID-19, crisis responses, and public policies: From the persistence of inequalities to the importance of policy design. *Policy and Society*, *41*(2), 187–198. https://doi.org/10.1093/polsoc/puac021.

Berger, L., Berger, N., Bosetti, V., Gilboa, I., Hansen, L. P., Jarvis, C., Marinacci, M., & Smith, R. D. (2021). Rational policymaking during a pandemic. *Proceedings of the National Academy of Sciences*, *118*(4), e2012704118. https://doi.org/10.1073/pnas.2012704118.

Blyth, M. (2008). Studying education systems with the tools of institutional theory. In W. L. Boyd, C. T. Kerchner, & M. Blyth (Eds.), *The transformation of great American school districts: How big cities are reshaping public education* (pp. 153–1684). Cambridge, MA: Harvard Education Press.

Boin, A., Hart, P., Stern, E., & Sundelius, B. (2017). *The politics of crisis management: Public leadership under pressure* (2nd ed.). Cambridge University Press. https://doi.org/10.1017/9781316339756.

Borrud, H. (2021, January 8). Video clearly shows Rep. Mike Nearman helping right-wing demonstrators breach Oregon Capitol. *OregonLive - Portland Oregonian*. https://www.oregonlive.com/politics/2021/01/video-clearly-shows-rep-mike-nearman-helping-right-wing-demonstrators-breach-oregon-capitol.html. Accessed February 20, 2023.

Bowling, C. J., & Ferguson, M. R. (2001). Divided government, interest representation, and policy differences: Competing explanations of gridlock in the fifty states. *The Journal of Politics*, *63*(1), 182–206. https://doi.org/10.1111/0022-3816.00064

Bulkley, K. E., Marsh, Julie A., & Mulfinger, L. S. (2022). *State choice policy and levers affecting equity: Surveying the landscape* (p. 51). REACH: National Center for Research on Education Access and Choice. https://reachcentered.org/uploads/technicalreport/REACH-Year-1-Qual-Tech-Report.pdf. Accessed February 21, 2023.

Crosson, J. M. (2019). Stalemate in the states: Agenda control rules and policy output in American legislatures. *Legislative Studies Quarterly*, *44*(1), 3–33. https://doi.org/10.1111/lsq.12210

Crow, D. A., DeLeo, R. A., Albright, E. A., Taylor, K., Birkland, T., Zhang, M., Koebele, E., Jeschke, N., Shanahan, E. A., & Cage, C. (2022). Policy learning and change during crisis: COVID-19 policy responses across six states. *Review of Policy Research*, *n/a*(n/a). https://doi.org/10.1111/ropr.12511

Dodd, L. C. (1994). Political learning and political change: Understanding development across time. In L. C. Dodd & C. Jillson (Eds.), *The Dynamics of American politics: Approaches and interpretations* (pp. 331–364). Boulder, CO: Westview Press.

Duncombe, C. (2021). *The American Rescue Plan: What's in it for K-12 schools?* Education Commission of the States. https://ednote.ecs.org/the-american-rescue-plan-whats-in-it-for-k-12-schools/. Accessed January 16, 2023.

Fowler, F. C. (2012). *Policy studies for educational leaders: An introduction* (4th ed.). Pearson.

Fuhrman, S. H., & Elmore, R. F. (1990). Understanding local control in the wake of state education reform. *Educational Evaluation and Policy Analysis*, *12*(1), 82–96.

https://doi.org/10.3102/01623737012001082

Goertz, M. E., Floden, R. E., & O'Day, J. (1995). *Volume I: Findings and conclusion* (Studies of Education Reform: Systemic Reform, p. 184). Office of Educational Research and Improvement, U.S. Deparment of Education. https://www2.ed.gov/PDFDocs/volume1.pdf. Accessed February 17, 2023.

Grissom, J. A., & Herrington, C. D. (2012). Struggling for coherence and control: The new politics of intergovernmental relations in education. *Educational Policy*, *26*(1), 3–14. https://doi.org/10.1177/0895904811428976

Henig, J. R. (2013a). *The end of exceptionalism in American education: The changing politics of school reform*. Cambridge, MA: Harvard Education Press.

Henig, J. R. (2013b). The rise of education executives in the White House, state house, and mayor's office. In P. Manna & P. McGuinn (Eds.), *Education governance for the twenty-first century: Overcoming the structural barriers to school reform* (pp. 178–206). Washington, DC: Brookings Institution Press.

Houston, D. M. (2022). *Polarization, partisan sorting, and the politics of education* (EdWorkingPaper 22–690). Annenberg Institute, Brown University. https://www.edworkingpapers.com/ai22-690. December 12, 2022.

Kerchner, C. T., Menefee-Libey, D. J., Mulfinger, L. S., & Clayton, S. E. (2008). *Learning from L.A.: Institutional change in American public education*. Cambridge, MA: Harvard Education Press.

Kerchner, Charles Taylor, Menefee-Libey, David J., Mulfinger, L. S., & Clayton, S. E. (2008). Comparing the Progressive model and contemporary formative ideas and trends. In W. L. Boyd, C. T. Kerchner, & M. Blyth (Eds.), *The Transformation of Great American School Districts: How Big Cities are Reshaping Public Education* (pp. 11–32). Cambridge, MA: Harvard Education Press.

Kettl, D. F. (2014). *System under stress: The challenge to 21st century governance* (Third edition). Los Angeles, CA: SAGE/CQ Press.

Kingdon, J. W. (1984). *Agendas, alternatives, and public policies*. Boston, MA: Little, Brown.

Labaree, D. F. (1997). Public goods, private goods: The American struggle over educational goals. *American Educational Research Journal*, *34*(1), 39–81.

Levin, H. M., Daschbach, J., & Perry, A. (2010). A diverse education provider: New Orleans. In K. E. Bulkley, J. R. Henig, & H. M. Levin (Eds.), *Between public and private: Politics, governance, and the new portfolio models for urban school reform* (pp. 165–194). Cambridge, MA: Harvard Education Press.

Lo, A., Pifarré i Arolas, H., Renshon, J., & Liang, S. (2022). The polarization of politics and public opinion and their effects on racial inequality in covid mortality. *PLOS ONE*, *17*(9), e0274580. https://doi.org/10.1371/journal.pone.0274580

Malen, B. (1994). The micropolitics of education: Mapping the multiple dimensions of power relations in school politics. *Journal of Education Policy*, *9*(5 & 6), 147–167.

Map: Coronavirus and school closures in 2019-2020. (2020, March 7). *Education Week*. https://www.edweek.org/leadership/map-coronavirus-and-school-closures-in-2019-2020/2020/03. Accessed March 30, 2022.

Marsh, J. (2012). The micropolitics of implementing a school-based bonus policy: The case of New York City's compensation committees. *Educational Evaluation and Policy Analysis*, *34*(2), 164–184. https://doi.org/10.3102/0162373711428354

Marsh, J. A., & Wohlstetter, P. (2013). Recent trends in intergovernmental relations: The resurgence of local actors in education policy. *Educational Researcher*, *42*(5), 276–283. https://doi.org/10.3102/0013189X13492193

Mauger, C. (2020, April 30). *Protesters, some armed, enter Michigan capitol in rally against COVID-19 limits*. The Detroit News. https://www.detroitnews.com/story/news/local/michigan/2020/04/30/protesters-gathering-outside-capitol-amid-covid-19-restrictions/3054911001/. Accessed March 20, 2022.

McDonnell, L. M. (2009). Repositioning politics in education's circle of knowledge. *Educational Researcher*, *38*(6), 417–427.

McDonnell, L. M., & Weatherford, M. S. (2016). Recognizing the political in implementation research. *Educational Researcher*, *45*(4), 233–242. https://doi.org/10.3102/0013189X16649945

Menefee-Libey, D., Herman, C., Powell, C., & Zalesin, J. (2014). The real world of interdependence of governments and corporations: What we know vs. what we teach. *Utah Law Review*, *2014*(4). https://doi.org/10.5072/ulr.v2014i4.1292

Menefee-Libey, D. J. (2004). Systemic reform in a federated system: Los Angeles at the turn of the millennium. *Education Policy Analysis Archives*, *12*(60). https://doi.org/10.14507/epaa.v12n60.2004

Oregon Department of Education. (2020). *Guidance on long-term school closure.* https://content.govdelivery.com/accounts/ORED/bulletins/28371a0. Accessed May 16, 2022.

Oregon Department of Education. (2021). *Oregon framework for teacher and administrator evaluation and support systems*. Oregon Department of Education. https://www.oregon.gov/ode/educator-resources/educator_effectiveness/Documents/oregon-framework--for-eval-and-support-systems.pdf. Accessed May 16, 2022.

Orren, K., & Skowronek, S. (2004). The institutional turn: Rethinking order and change over time. In *The search for American political development* (pp. 78–119). New York, NY: Cambridge University Press.

Peters, B. G. (2018). *American public policy: Promise and performance* (11th ed.). Los Angeles, CA: SAGE/CQ Press.

Pierson, P. (2004). *Politics in time: History, institutions, and social analysis* (First Edition). Princeton, NJ: Princeton University Press.

Polikoff, M. S. (2021). *Beyond standards: The fragmentation of education governance and the promise of education reform*. Cambridge, MA: Harvard Education Press.

Polsby, N. W. (1968). The institutionalization of the U.S. House of Representatives. *The American Political Science Review*, *62*(1), 144–168.

Salamon, L. M. (Ed.). (2002). *The tools of government: A guide to the new governance*. New York, NY: Oxford University Press.

Smith, M. S., & O'Day, J. A. (1991). Systemic school reform. In S. H. Fuhrman & B. Malen (Eds.), *The politics of curriculum and testing: The 1990 yearbook of the Politics of Education Association* (pp. 233–267). San Francisco, CA: Falmer.

Sorenson, P. (2021, March 1). Child care financing reform: A critical next step for Michigan families and the economy. *MLPP*. https://mlpp.org/child-care-financing-reform-a-critical-next-step-for-michigan-families-and-the-economy/. Accessed March 20, 2022.

Syverson, E. (2021). *K-12 funding policy responses to COVID-19* (Policy Snapshot). Education Commission of the States. https://www.ecs.org/research-reports/key-issues/funding/. Accessed March 25, 2022.

Tyack, D., & Tobin, W. (1994). The "grammar" of schooling: Why has it been so hard to change? *American Educational Research Journal*, *31*(3), 453–479. https://doi.org/10.3102/00028312031003453

U.S. Department of Justice Office of Public Affairs. (2022, December 27). *First of two convicted at trial in Michigan governor kidnapping plot sentenced to 16 years in prison*. https://www.justice.gov/opa/pr/first-two-convicted-trial-michigan-governor-kidnapping-plot-sentenced-16-years-prison. Accessed January 1, 2023.

Wirt, F. M., & Kirst, M. W. (2009). *The political dynamics of american education* (4th ed). Richmond, CA: McCutchan.

Yin, R. K. (2013). *Case study research: Design and methods* (Fifth edition). Los Angeles, CA: SAGE.

Zackin, E. J. (2013). Education: A long tradition of positive rights in America. In *Looking for rights in all the wrong places: Why state constitutions contain America's positive rights* (pp. 67–105). Princeton, NJ: Princeton University Press.