

THE DEVELOPMENT OF A STATE LEVEL POLICY  
IN SCHOOL DISTRICT REORGANIZATION

by

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A DISSERTATION

Presented to the Faculty of

The University of Nebraska in the Teachers College

in Partial Fulfillment of Requirements

For the Degree of Doctor of Education

Department of School Administration

Under the Supervision of Professor Merle A. Stoneman

Lincoln, Nebraska

1959

**TITLE**

The Development of a State Level Policy in

School District Reorganization

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## ACKNOWLEDGEMENTS

This dissertation is the result of research conducted over a period of nearly two years and the combined efforts of many persons in Nebraska who work with the many different responsibilities inherent in a program of school district reorganization. I wish to particularly acknowledge Dr. Merle A. Stoneman for his guidance and tireless assistance not only with respect to this study, but for all the years he has served as my advisor and teacher. To Dr. Leslie L. Chisholm, for the challenge of his leadership, to the members of the State Committee for Reorganization of School Districts for their patience in working on this project and their encouragement to me in the process, and to the county superintendents who assisted in the evaluation of the processes of reorganization I am greatly indebted. I am especially appreciative of the encouragement and assistance given me by Dr. Freeman B. Decker, Commissioner of Education, Dr. Donald O. Bush, and other members of the staff of the State Department of Education. Without their assistance and encouragement this study would not have been possible. Finally, I am eternally grateful to my wife, Shirley, and my daughters, Cheryl, Janice, and Nancy, for their patience and hopeful encouragement throughout the period of the development of this study.

## Chapter I INTRODUCTION

### A. The Problem

The 1949 Session of the Nebraska State Legislature adopted a measure which provided methods for orderly merging of school districts into larger units.<sup>1</sup> The statute provided, as well, for a committee of citizens appointed to give direction to the movement to establish more adequate school units. This committee was titled the State Committee for Reorganization of School Districts, and was charged with the responsibility for developing plans, procedures, and suggestions for local groups to follow in their planning for reorganization of their local units.

It must be assumed that an agency representing the State in an area as important as education works in accordance with established principles and develops policies which govern its actions and relationships with local school groups. During the nine years of its operation, the Committee has received inquiries for a wide variety of kinds of information and proposals for reorganization on which action has been taken.

The writer is of the opinion that at least some of the characteristics of the policies under which this state agency operates should be

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<sup>1</sup>Legislature of Nebraska, Sixty-First Session, L. B. 27, April, 1949. (See Appendix A).

identifiable through a study of the actions of the Committee , through a study of the changing status of reorganization in Nebraska , as well as through opinions of members of the Committee and those with whom they have worked .

This study has had three objectives:

1. Trace the development of policy under which the State Committee has worked;
2. Determine the effectiveness of the efforts of the State Committee through an examination of progress in reorganization in Nebraska; and
3. Estimate future needs and make recommendations for guidance of State level authorities in encouraging effective reorganization.

By comparison to recommended procedures , standards , policies , etc . , advocated by leading authorities in school district reorganization , the actions , policies , and recommendations of the State Committee has been evaluated in this study . From the consideration of this evaluation , the past effectiveness has been determined and desirable future action recommended .

#### B. Techniques Used

In searching for evidence to determine the answer to the three problems posed in this study , a combination of several techniques have been employed .



1. Historical research into the official minutes of the State Committee for Reorganization of School Districts , and to a minor extent , into the records of county committees .
2. Available literature dealing with Committee action in school district reorganization procedures was thoroughly reviewed .
3. Compilation , from records of the State Department of Education , statistical data concerning the progress of school district reorganization since 1949 .
4. Questionnaire sent to county superintendents (1958) to secure data and opinions concerning reorganization activities .
5. Questionnaire sent to former members and present members of the State Committee for Reorganization of School Districts .
6. Interviews with selected individuals--members of the State Committee for Reorganization of School Districts , county committees , and staff members of the State Department of Education .

Interpretation of statistical data presented has been primarily narrative in nature and is not intended to be a consideration of the presence or absence of statistical significance or correlation .

This study has not had as its purpose a comprehensive evaluation of the programs of education presented in the schools concerned resulting

from reorganization of districts. Only the potentials of the proposed or reorganized districts, in terms of enrollment and assessed valuation, have been considered in this evaluation. No consideration has been given to the class schedules, programs of studies, transportation systems, or other operational aspects of the school districts formed, or proposed and not formed, as a result of efforts in reorganization.

PREVIEW

## Chapter II BACKGROUND OF THE STUDY

### A. General Considerations

In the Spring of 1958, a special commission created by the American Association of School Administrators reaffirmed, in language which leaves no alternative position, the belief that school districts must be a part of the ever-developing society of which they are a part:

School district organization has never been regarded as static and permanent--as a sacred entity that should not be changed. Quite to the contrary, it has been looked upon as a governmental device through which people can work together in organizing, supporting, controlling and operating their schools. When it serves its function well, it has been satisfactory. When it has not been able to do the job for which it was created, it has been modified. It is an integral part of the on-going developing, ever-changing process of American Life.<sup>1</sup>

This is a reflection of opinions voiced, almost from the beginning of the formation of school districts in the United States, that education is dynamic, and that to provide an educated citizenry, the agencies responsible for the educational program for the people must be such that they have the potential to provide learning opportunities to meet the needs of all pupils.

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<sup>1</sup>American Association of School Administrators Commission on School District Reorganization, The Point of Beginning: The Local School District. Washington, D. C.: American Association of School Administrators, 1958, p. 21.

Dawson and Reeves, speaking for the National Commission on School District Reorganization in 1948, expressed the same concern that school district units be such that they can change to meet the needs of the times:

It is a fundamental principle of good government that each unit of government should be able to perform the functions and services required of it; it logically follows that when circumstances render a local unit inadequate for the performance of its functions, its structure, organization, and resources should be changed. If it is essential to preserve local units of school administration, it follows that it is imperative to create local units that can perform the services required of them.<sup>1</sup>

Nebraska's school districts have been a cause for concern for many of the years they have been in existence. Numerous writers have traced the history of Nebraska's education and the extent to which the districts organized in the State have been able to meet the demands made upon them. Beggs<sup>2</sup> in 1939, and Hyma<sup>3</sup> in 1941, made exhaustive studies of the nature of the educative process in the State in the early days. Bell, in a study completed in 1941, suggested methods of study to be used in

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<sup>1</sup>Howard A. Dawson, Floyd W. Reeves, and others (National Commission on School District Reorganization), Your School District. Washington, D. C.: Department of Rural Education, National Education Association, 1948, p. 45.

<sup>2</sup>Walter K. Beggs, Frontier Education in Nebraska, Unpublished Doctoral Dissertation, University of Nebraska, Lincoln, Nebraska, 1939.

<sup>3</sup>George A. Hyma, The Superstructure of Nebraska Education in the First Eight Years of Statehood. Unpublished Master's Thesis, University of Nebraska, Lincoln, Nebraska, 1940.

the determination of the kind of program to be provided in the schools and proposed a set of general criteria for districts which could do so.<sup>1</sup>

In 1944, a team of writers (Beggs, Broady, Fowles, Meierhenry, and Novotny) discussed the ability of schools to meet the needs of the community in which they are located, with the concept of a "community school" emerging.<sup>2</sup> This concept does not differ greatly from the idea accepted today, which would have the school district encompass the entire area which it serves as a "community." The development of such units on a logical basis was the goal desired by these authors.

A series of articles analyzing the status of Nebraska's school districts appeared in 1947, to be published later in booklet form, by Henzlik and Chisholm.<sup>3</sup> These writings were concerned primarily with the need for changes in the system of districts in existence at that time and appeared at about the time a measure was being considered by the Legislature (L. B. 361, 1947 Session--the Pritchard Bill). This bill,

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<sup>1</sup>Millard Bell, A Plan for the Reorganization of Administrative Units for the Schools of Nebraska. New York: Teachers College, Columbia University, 1941, pp. 60-69.

<sup>2</sup>W. K. Beggs, K. O. Broady, L. E. Fowles, W. C. Meierhenry, and L. E. Novotny, Community Schools for Nebraska. Educational Monograph, Contributions to Education Number 21, Lincoln: Teachers College, University of Nebraska, 1944.

<sup>3</sup>F. E. Henzlik and Leslie L. Chisholm, Nebraska Looks at Her School Districts. Lincoln: University of Nebraska Press, 1948.

defeated in 1947, amended and passed in 1949 (L. B. 27, 1949 Session), became the first recent legislation to provide a comprehensive method for making changes in district boundaries deemed necessary. Resultant action and achievements will be treated later as a portion of the findings of this study.

From the time when legislation encouraging reorganization of school districts was adopted, interest in all aspects of the program increased. Since 1949 studies have been completed which approach the problems of reorganization in Nebraska from a great variety of viewpoints. Reed<sup>1</sup> examined school district financial structure as it might be an incentive or deterrent to reorganization of districts. Henderson<sup>2</sup> was interested in the historical development of Nebraska's school districts and studied the distribution of the districts as affected by family and ethnic groups.

A series of studies were conducted beginning in 1953 under the direction of Dr. Leslie Chisholm, Teachers College, University of Nebraska, and sponsored by the Midwest Administration Center, University of

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<sup>1</sup>Calvin H. Reed, Financial Factors Related to School District Reorganization. Lincoln: University of Nebraska Press, 1949.

<sup>2</sup>Dale Leroy Henderson, Ecological Aspects of Nebraska School District Distribution. Unpublished Doctoral Dissertation, University of Nebraska, Lincoln, Nebraska, 1951.

Chicago.<sup>1</sup> Four University of Nebraska students participated in these studies, and approached different phases of the problem of reorganization of school districts in the State. Leadership activities of people interested and active in working for reorganization were examined by two of these studies. Farley inquired into activities and interests of professional educators and lay people working at the local district or county level, to achieve reorganization<sup>2</sup>, and Janetos explored the work and influence of certain people who functioned in leadership capacities on a state-wide basis.<sup>3</sup> Campbell renewed interest in financial implications of school district reorganization, and particularly the factors of school finance programs which do or do not encourage reorganization.<sup>4</sup>

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<sup>1</sup>Leslie L. Chisholm, School District Reorganization. Chicago: Midwest Administration Center, University of Chicago, 1957.

<sup>2</sup>Melvin W. Farley, A Study of Lay and Educational Leadership in School District Reorganization. Unpublished Doctoral Dissertation, University of Nebraska, Lincoln, Nebraska, 1953.

<sup>3</sup>Peter Janetos, A Study of State Level Leadership in School District Reorganization. Unpublished Doctoral Dissertation, University of Nebraska, Lincoln, Nebraska, 1953.

<sup>4</sup>Charles E. Campbell, The Relationship of School Finance to the Reorganization of Local Administrative Units. Unpublished Doctoral Dissertation, University of Nebraska, Lincoln, Nebraska, 1953.

Dennis explored, through extensive study, the types of devices used by local groups to bring public opinion to agree with the idea of reorganization, the public relations techniques.<sup>1</sup>

Gomon found in 1954 that considerable inequities existed between school districts in Nebraska in the ability to support a school program. He concluded that some financial benefits could accrue to the school districts of the state if all rural districts would join with the town school district serving them for high school purposes, but that this solution would not necessarily provide adequate districts in all cases and would necessitate further reorganization.<sup>2</sup> The most recent dissertation dealing with Nebraska's schools having implications for school districts, a state-wide plan for determining school plant needs developed by Bush, gave considerable attention to the characteristics of a district which can support an adequate program, and to techniques for determining location of such districts.<sup>3</sup>

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<sup>1</sup>David M. Dennis, Public Relations Programs in Local School Reorganization. Unpublished Doctoral Dissertation, University of Nebraska, Lincoln, Nebraska, 1954.

<sup>2</sup>Neal S. Gomon, Financial Implications of a Type of School District Reorganization in Nebraska. Unpublished Doctoral Dissertation, University of Nebraska, Lincoln, Nebraska, 1954.

<sup>3</sup>Donald O. Bush, Nebraska State-wide Plan for Determination of School Plant Needs. Unpublished Doctoral Dissertation, University of Nebraska, Lincoln, Nebraska, 1956.



Examination of all of these factors concerned with Nebraska's school district system, and their effects on the development of a state-level policy for school district reorganization, has been one objective of the writer. It is not the purpose of the present study to present a detailed history of education in Nebraska, to review extensively legislative provisions for reorganization, nor to evaluate extensively specific techniques employed in activity leading to reorganization of school districts. Some conclusions are presented, however, which represent essential agreement on the part of those who have written in the field of school district reorganization.

#### B. Legislative Provisions

In each of the above mentioned Nebraska studies, the author (s) has examined and summarized the history of legislation for change of boundaries of school districts. Treatment of the laws is more exhaustive in some than in others, but these studies agree on the following capsule analysis of legislation leading to the relatively recent authority for reorganization:

1. Nebraska's districts were developed to provide a school program under the Constitution of the state;
2. The need for district boundary changes has been recognized from the earliest records of education agencies;

3. The Consolidation Act in 1919 was the earliest effort to provide an opportunity for study of possible boundary changes and provision for an election on the plans;
4. The Reorganization of School Districts Act in 1949 provided the first opportunity for state-wide studies and planning to be done by committees created for that purpose;
5. Continuous modification of statutory provisions has been necessary to meet current requirements from time to time;
6. Further changes are necessary to provide needed encouragement for reorganization.

That legislative interest in legal provision for reorganization continues, is evidenced by the statement of a Legislative Council subcommittee in 1948:

It is apparent that under the present organization of our school districts there are great inadequacies both in educational opportunity and in tax burdens imposed for educational purposes. While some property in the state bears little or no tax burden for public school purposes, some other property is taxed excessively. While some children of the state enjoy excellent opportunities, those available to some other children are definitely inferior. Quite often, the inferior quality educational opportunity is found where the tax levies are highest and cannot, therefore, be attributed to the unwillingness of the local people to provide good schools for their children.<sup>1</sup>

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<sup>1</sup>Nebraska Legislative Council, Report of the Nebraska Legislative Council Subcommittee on Redistricting. Lincoln: Nebraska State Legislature, Report Number 25, 1948.

This position was reaffirmed by a similar group in 1956.<sup>1</sup>

### C. Finance

Researchers have concluded that, generally speaking, state school finance programs in most states have more elements which discourage reorganization than they have elements which encourage reorganization. Fitzwater found a considerable number of differences in the characteristics of the school finance programs in the sixteen states including California, Colorado, Idaho, Illinois, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New York, North Dakota, Pennsylvania, South Dakota, Washington, and Wisconsin, which he studied, and stated:

That is, school finance and district reorganization were interrelated.

On the one hand, there was widespread evidence that a sound and equitable system of school finance was dependent upon a school district structure which was capable of using school funds effectively from the standpoint of providing good educational programs at reasonable per pupil costs. On the other hand, there was also evidence that the establishment of such districts could either be facilitated or hindered by the school finance system. It was apparent, however, that the significance of this interrelatedness was recognized more clearly and emphasized much more strongly in the school finance and district reorganization laws of some States than it was in others.<sup>2</sup>

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<sup>1</sup>Nebraska Legislative Council, Report of the Nebraska Legislative Council Subcommittee on School Laws. Lincoln: Nebraska State Legislature, Report Number 79, 1956.

<sup>2</sup>C. O. Fitzwater, School District Reorganization--Policies and Procedures. U. S. Department of Health, Education, and Welfare, Office of Education, Special Series No. 5, Washington, D. C.: Superintendent of Documents, Government Printing Office, 1957, p. 84.

He found, also, that Nebraska was one of the states among the sixteen he studied which had a school finance program with the least encouragement for reorganization. Some of the factors which he identified as discouraging reorganization were:

1. Dependence primarily on local tax sources for revenue;
2. Apportioning the state funds on a flat-grant basis, rewarding small districts the same as more adequate ones;
3. Payment of tuition for non-resident high school pupils; and
4. Inequitable assessments and levies.<sup>1</sup>

As he traced the development of reorganization in these several states, Fitzwater concluded that any attempt to credit reorganization accomplishment solely to favorable finance factors rests on shaky ground. He was certain, however, that a favorable finance plan made reorganization easier to accomplish. He stated:

In none of the States where financial conditions were most favorable for reorganization was there any evidence on the part of the leaders interviewed to underemphasize the importance of incentives provided for reorganization-- in fact, the role of incentives was strongly emphasized.

On the other hand, in States where the financial situation was less favorable but where much reorganization was accomplished, it was also emphasized fully as strongly that more favorable finance provisions would have been highly beneficial. The same was true in all of the States where the finance plan lacked incentives. In

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<sup>1</sup>Ibid., pp. 84-100.

State after State such needs were stressed as: an adequate level of State support distributed equitably, an adequate amount of pupil transportation aid, aid for school buildings, and elimination of favored financial treatment of unnecessary small districts.

In summary, there was abundant evidence of the interdependence of sound school financing and sound school district organization. A sound finance plan facilitates establishment of adequate districts. And adequate districts make possible effective and economical use of school funds in terms of good educational programs, which is the purpose both of school finance and of school districts.<sup>1</sup>

Factors which retard school district reorganization identified in the studies reviewed by Chisholm<sup>2</sup> were essentially the same, and in addition, he identified some which encourage the organization of adequate districts. These included payment for pupil transportation; preferential classification for payment of State aid funds (based on adequacy of the school program); State aid for school building construction; and some special tax relief for agricultural lands.

In its treatment of the entire picture of school district organization, the special Commission on School District Reorganization of the American Association of School Administrators examined state school finance provisions and drew essentially the same conclusions. Although made for the nation as a whole, the generalizations of this group seem pertinent for Nebraska.

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<sup>1</sup>Ibid., pp. 101-102.

<sup>2</sup>Chisholm, Op. Cit., pp. 10-11.

1. Adequate state equalization funds for current school operations are essential to successful programs of school district reorganization.
2. The method of distributing state funds should not encourage the retention of unnecessarily small school districts.
3. The method of distributing state school funds should offer incentives to adequate school district organization.
4. The state should provide aid for paying the cost of pupil transportation, preferably equalization aid.
5. State aid should be provided to finance capital outlay for school plant facilities, either for the total cost or on an equalization basis.
6. State aid for the retirement of bonded indebtedness incurred prior to reorganization is usually helpful and sometimes necessary. It should preferably be distributed on an equalization basis.
7. State aid for special educational services for exceptional children and for adult education affords additional inducements for school district reorganization.
8. State subsidies for tuition of nonresident pupils should be available only as a last resort and in cases of unavoidable necessity.
9. Whenever aid is withheld from inefficient districts, the pupils of those districts should be otherwise provided for.<sup>1</sup>

#### D. Local School-State Relationships

Nebraska writers, as well as those concerned with education on a nation-wide basis, have given attention to the relationships which exist

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<sup>1</sup>American Association of School Administrators Commission on School District Reorganization, School District Organization, Washington, D. C.: American Association of School Administrators, 1958, p. 239-245.

between state governments, local districts, and the people in these districts. Henry Steele Commager expressed the viewpoint of mutual satisfaction: "No other people ever demanded so much of education as have the American people. None other was served so well by its schools and educators."<sup>1</sup>

Much concern has been expressed by the people for the preservation of "local control" of schools. Each study which has had as a part of its exploration the determination of results of efforts toward reorganization, reports that this concern for retaining of the power to make decisions is a major one. Materials prepared by agencies for distribution to lay people to encourage reorganization give much attention to this phase of the process.

The American Association of School Administrators has defined education as a state function:

Education is a state mandate, and, as such it reflects the collective will of the people. In each state the people are the state, and the legislature is an agency for carrying out their will. Thus in making education a state function, the people collectively have placed upon themselves collectively the responsibility for providing a state-wide system of public schools.<sup>2</sup>

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<sup>1</sup>Henry Steele Commager, "Our Schools Have Kept Us Free," (Editorial), Life Magazine, October 16, 1950, p. 20.

<sup>2</sup>American Association of School Administrators Commission on School District Reorganization, School District Organization, Washington, D. C.: American Association of School Administrators, 1958, p. 62.

The National Council of Chief State School Officers has analyzed the situation thus:

Education is a function of the state under our system of government

- a. The state is sovereign with respect to its basic responsibility for establishing and administering a program of education adapted to the needs of its citizens and for the necessary coordination of all educational activities within its borders.
- b. The state is responsible for determining the extent and quality of educational services to be provided by its foundation program of education and for assisting local boards of education to assume their responsibility in providing these and additional services.
- c. The state should establish minimum standards necessary to safeguard the education of its citizens, and assist local school boards to equal and, whenever possible, to exceed these standards. When local boards refuse to meet minimum standards they should be enforced by the state.
- d. The state should assure an adequate foundation education program for every child and adult through its plan of financial support.
- e. The state is responsible for developing and carrying out a comprehensive plan for improving educational opportunities for its citizens and for continuous evaluation and adaptation of the plan to meet emerging needs . . . .<sup>1</sup>

Of particular concern to all who are involved in the operation of schools is the question of separation of powers and functions of individual

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<sup>1</sup>National Council of Chief State School Officers, Our System of Education. Washington, D. C.: The Council, 1950, pp. 17-19.