

Reasons for Reforms of School Administration Structures – an Analysis of the German Case

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Introduction

School administration structures were extensively reformed during the last decades in Germany. Taking into account, that the German federalism is described as an “administrative federalism” due to the responsibility of the Länder for the implementation of federal legislation and federal programmes (Kuhlmann and Wollmann 2019: 90), it is clear that these reforms were implemented at the level of the German Länder. At the same time, broader administrative reforms were implemented in several Länder (Bogumil and Ebinger 2011). Some of the reforms of school administration structures in the German Länder (e.g. disestablishment of regional councils in Niedersachsen and Rheinland-Pfalz) are to be seen in the context of these broader administrative reforms (Bogumil 2007, Bogumil and Kottmann 2006: 34f). In contrast, other reforms of school administration structures were implemented out of the timeframe of the broader administrative reforms (e.g. establishment and disestablishment of a superior school supervisory board in Brandenburg and Hessen). Hence, the question arises, why the reforms of school administration structures were implemented in the German Länder.

While the above-mentioned broader administrative reforms were extensively analysed and discussed in public administration literature (see e.g. Bogumil 2007, Bogumil and Ebinger 2011, Reiners 2008), less attention was paid to the issue of reforms of school administration structures. This paper tackles this research gap by analysing the reasons for reforms of school administration structures in the German Länder. For this purpose, the paper is structured as follows: first of all, school administration in Germany is analysed as object of investigation. In a second step, the implemented reforms of school administration structures in the German Länder are introduced and discussed. It is argued that there is a convergence of school administration structures, because a clear trend against school administration systems with lower school supervisory boards is observed. As the framework of this paper, an approach by Reiners (2008) will then be introduced. In his analysis, Reiners (ibid) explains reasons or rather success factors for the broader administrative reforms in the German Länder. His framework is finally applied to the case of the reforms of school administration structures in order to answer the research question.

School Administration in Germany

Bogumil et al. (2016: 5) defines school administration as “school-related administrative services carried out by public authorities and institutions outside of schools themselves that do not constitute educational work in direct contact with students” (author’s translation). In the context of this paper, it is important to underline that this understanding of school administration excludes the administration of particular schools (i.e. heads of schools etc.). Accordingly, the analysis will focus on reforms of the structures of public authorities and institutions that are executing tasks in the field of school administration.

School policy and accordingly the “cultural sovereignty” (Hepp 2011: 108) of the Länder in this field are perhaps the most outstanding examples of Germany’s federal organisation. Despite of several attempts, the Bund never succeeded in gaining wider competences in the field of school policy (ibid: 121ff). Consequently, also the competences in the field of school administration are allocated at the Länder level. In detail, the allocation of competences in the fields of school policy and school administration is organised as follows. While the Länder are responsible for the so-called “internal school affairs”, the responsibility for the so-called “external school affairs” is located at the local and municipal level (ibid: 11). External school affairs comprise construction and maintenance of school buildings, hiring and financing of the non-teaching staff (e.g. janitors and secretaries) and school development planning (i.e. planning of demand). In contrast, internal school affairs include school policies such as the design of the school system and decisions about the curriculum as well as formation, hiring and financing of the teaching staff (Van Ackeren et al. 2015: 99f). While these decisions are made by the Länder parliaments, school administrations are responsible for the implementation of these policies. Beside the personnel administration of the teaching staff, school administrations are primarily responsible for supervisory tasks. School supervision means the “inspection of internal and external school affairs” (Bogumil et al. 2016: 11, author’s translation). Precisely, school supervisory boards are executing school visits and discussions with heads of schools and teaching staff as well as evaluations (ibid: 17ff). As school supervision is the main task of school administration, school supervisory boards will be focussed subsequently.

Bogumil et al. (ibid: 12ff) differentiates between three different types of school supervisory systems: school supervisory systems with only one, with two or even with three different administrative levels. As there are differences between the school supervisory systems with two administrative levels, a further distinction between two-level systems with supreme and superior school supervisory boards as well as systems with supreme and lower school supervisory boards is applied subsequently. Accordingly, three-level systems include supreme, superior and lower school supervisory boards whereas single-level systems are only consisting of a supreme school supervisory board.

In the context of school administration, the responsible ministry always serves as the supreme school supervisory board. Superior school supervisory boards are more often than not superior single-purpose Länder authorities, whereas usually supra-municipal school authorities (so-called Schulämter) serve as lower school supervisory boards. However, there are some exceptional cases. In Rheinland-Pfalz, where a two-level system with both a supreme and a superior school supervisory board is applied, the latter is integrated in a multi-purpose Länder authority (the so-called Aufsichts- und Dienstleistungsdirektion, furthermore responsible for municipal tasks and agriculture). In Bayern, Nordrhein-Westfalen and Schleswig-Holstein, the number of lower school supervisory boards corresponds with the number of municipalities. It is to stress, that this does not involve local and municipal competences in the field of school supervision. Instead, a so-called “loan of administrative capacity” (Organleihe) is applied in these Länder. This means, that the Länder level administrations are “borrowing” administrative capacities from the local and municipal level for the sake of executing their tasks in the field of school administration (ibid: 13).

Table 1. School supervisory systems in Germany and respective Länder

School supervisory system	Respective Länder
Three-level school supervisory system (supreme, superior and lower school supervisory boards)	<ul style="list-style-type: none"> – Baden-Württemberg – Bayern – Nordrhein-Westfalen
Two-level school supervisory system (supreme and superior school supervisory boards)	<ul style="list-style-type: none"> – Niedersachsen – Rheinland-Pfalz – Sachsen – Sachsen-Anhalt
Two-level school supervisory system (supreme and lower school supervisory boards)	<ul style="list-style-type: none"> – Brandenburg – Hessen – Mecklenburg-Vorpommern – Schleswig-Holstein – Thüringen
Single-level school supervisory system (supreme school supervisory board)	<ul style="list-style-type: none"> – Berlin – Bremen – Hamburg – Saarland

In this paper, only functional reforms (i.e. reforms of the allocation of tasks between existing administrative institutions) and reforms of the administrative structures (i.e. reforms of the structures of the administrative system, including closure, amalgamation and creation of administrative institutions) of the school administration are analysed. Following Bogumil and Ebinger (2011: 45), functional reforms of Länder administrations can lead to a concentration as well as to a deconcentration of the allocation of tasks. Accordingly, reforms of school administration structures are defined as transfers of school supervisory tasks between existing school supervisory boards as well as closure, amalgamation or creation of school supervisory boards.

Convergence of School Administration Structures in the German Länder?

Having discussed the school administration systems of the German Länder, this paper is continued with the analysis of the reforms of school administration structures. Against this background, the question arises, whether these reforms caused a convergence of school administration structures in the German Länder. Based on an approach by Holzinger et al. (Holzinger et al. 2007, Holzinger and Knill 2007), this question is analysed subsequently in order to introduce the reforms of school administration structures in the German Länder.

Analysing the reforms of school administration structures in the German Länder, it becomes clear, that there is not only a high variance between the school administration structures of the German Länder in general, but also both a huge number and variance of these reforms. While some Länder changed the type of school supervisory system as an effect of their reforms of school administration structures, other Länder reformed their school administration structures without changing the type of school supervisory system. Taking into account the question whether a convergence of school administration structures in the German Länder occurs as an effect of the implemented reforms of school administration structures, only system-changing reforms of school administration structures are relevant for the following discussion. This is due to understanding convergence as growing similarity between school administration systems in the German Länder over time. Accordingly, this is the case if the number of school supervisory systems decreases and/or if increasing concentration on one particular type of school supervisory systems occurs (Holzinger et al. 2007: 11ff, Holzinger and Knill 2007: 86ff). Therefore, system-changing reforms are a sine qua non for convergence of the school administration systems of the German Länder. As a first result, it is to be stated, that the number of school supervisory systems remained constant: Representatives of all the four above-introduced types of school supervisory systems already existed in 1990, when Germany was reunited. According to Holzinger

et al. (ibid), a constant number of types of school supervisory systems is a first indicator of persistence rather than an indicator of converging school administration structures.

For the sake of finally investigating whether there is further evidence for persistence or rather increasing concentration on one particular type of school supervisory system, system-changing reforms are to be refined from the total number of the reforms of school administration structures in the German Länder. Among the Länder with a single-level school supervisory system, Berlin and Saarland have implemented system-changing reforms in 1995 (Berlin, disestablishment of lower school supervisory boards in favour of a superior school supervisory board), in 2000 (Saarland, disestablishment of the lower school supervisory boards in favour of today's single-level school supervisory system) and in 2003 (Berlin, disestablishment of the superior school supervisory board in favour of today's single-level school supervisory system). Brandenburg and Hessen represent the only Länder with a two-level school supervisory system with lower school supervisory boards that implemented system-changing reforms of their school administration structures. Initially, Hessen was a representative of the type of three-level school supervisory systems until school administration competences were taken away from the regional councils in 1997. With the exception of the period between 2013 and 2015, when a superior school supervisory board was unsuccessfully tested in Hessen, this Land remained a representative of the type of two-level school supervisory systems with lower school supervisory boards until today. Related to the case of Hessen, Brandenburg implemented a two-level school supervisory system with a superior school supervisory board between 2014 and 2016. Before and after, Brandenburg was a representative of the type of two-level school supervisory systems with lower school supervisory boards. Accordingly, Brandenburg is an exceptional case due to a cancelled system-changing reform. Among the Länder with a two-level school supervisory system with superior school supervisory boards, system-changing reforms were implemented in Sachsen and Sachsen-Anhalt. While Sachsen was a representative of the type of two-level school supervisory systems with lower school supervisory boards until the creation of the first of two different superior school supervisory boards, Sachsen-Anhalt even changed its type of school supervisory system twice: Having implemented a three-level school supervisory system, school administration competences were taken away from the regional councils in 1997 in favour of lower school supervisory boards before the school supervisory system was reformed again, integrating the school supervision in a bundled superior Land authority at first (2004) before creating a single-purpose superior school supervisory board (2012). Today's representatives of the type of three-level school supervisory systems represent the only group of Länder in this investigation that have not implemented system-changing reforms. Table 4 shows a summarising overview of the above-discussed system-changing reforms of school administration structures in the German Länder.

Table 2. System-changing reforms of school administration structures in the German Länder

School Supervisory System	Leavings	New Members	Difference
Single-level school supervisory system		– Saarland 2000 – Berlin 2003	+ 2
Two-level school supervisory system with lower school supervisory boards	– Berlin 1995 – Saarland 2000 – Sachsen-Anhalt 2004 – Sachsen 2007 – Hessen 2013 – Brandenburg 2014	– Hessen 1997 – Sachsen-Anhalt 1997 – Hessen 2015 – Brandenburg 2016	- 3
Two-level school supervisory system with superior school supervisory boards	– Berlin 2003 – Hessen 2015 – Brandenburg 2016	– Berlin 1995 – Sachsen-Anhalt 2004 – Sachsen 2007 – Hessen 2013 – Brandenburg 2014	+ 2
Three-level school supervisory systems	– Hessen 1997 – Sachsen-Anhalt 1997		- 2

As there are various shifts between the different types of school supervisory systems, Table 4 shows that persistence can be excluded from the potential effects of the reforms of school administration systems in the German Länder. But the question remains, whether these results are sufficient to prove a convergence of school supervisory systems as an effect of the reforms of school administration structures in the German Länder. Even if Bogumil states, that there is a trend towards an increasing utilisation of the type of two-level school supervisory systems (2017: 14), this finding is not necessarily confirmed by the results of this investigation. First of all, this is due to the applied distinction between two-level school supervisory systems with lower and with superior school supervisory boards. Concerning two-level school supervisory systems with lower school supervisory boards, there is even a trend towards a decreasing number of representatives of this type. And even if both two-level school supervisory systems would have been analysed together, this would have led to a balanced result, as Hessen and Sachsen-Anhalt as former representatives of the type of three-level school supervisory systems are only replacing Berlin and Saarland, who implemented system-changing reforms making them representatives of the type of single-level school supervisory systems.

But nevertheless, a certain convergence can be observed. If the types of school supervisory systems with lower school supervisory boards are distinguished from types of school supervisory systems without lower school supervisory boards, the results are distinct. Applying this understanding, a clear trend against types of school supervisory systems with lower school supervisory boards is to be observed: four Länder have finally disestablished lower school supervisory boards (Berlin 1995, Saarland 2000, Sachsen-Anhalt 2004, Sachsen 2007). Accordingly, the school administration structures in the German Länder are growing more alike as an effect of the implemented reforms in a sense, that there is a trend against lower school supervisory boards and therefore as well a trend towards a more centralised organisation of school administration structures.

Framework

Having introduced and discussed the system-changing reforms of school administration structures in the German Länder, the analysis is continued with the introduction of the applied framework. Therefore, an approach by Reiners (2008) is used in order to answer the question concerning the reasons for reforms of school administration structures in the German Länder. In his analysis, Reiners (ibid) identifies enabling and stimulating factors for broader administrative reforms in the German Länder in order to explain the reasons of these “radical” reforms (ibid: 27). Subsequently, these factors are discussed and adapted to the subject of this investigation.

In a first step, Reiners discusses the factor of administrative and territorial structures. In particular, he expects that the need for a reform arises from the specific setting or rather from the starting conditions. Reiners specifies, that congruent preferences between the respective Land government and regional or local levels rather enables reforms than incongruent preferences (ibid: 38f). This is underlined by the examples of Baden-Württemberg, where the Land government and presidents of regional councils as well as county administrators realised an alliance against the ministries and their special authorities, and Niedersachsen, where the Land government and county administrators allied with each other against the presidents of regional councils (Bogumil and Ebinger 2011: 48). Following Reiners, the size of a Land is to be taken into further account. Accordingly, an administrative structure with three levels is more likely to be applied in the bigger Länder, whereas Länder of medium or rather small size tend to implement two-level systems (Reiners 2008: 39).

In the context of school administration, the congruence of preferences between the Land, the regional and the local levels of governments is not as important as it is for broader administrative reforms. Whereas e.g. county administrators are more often than not directly elected, this is not the case for heads or presidents of school

administration boards. In consequence, the congruence of political preferences between the different administrative levels of school supervisory systems is to be estimated as less important. In contrast, the size of the respective Land is even more important. According to Reiners, it is expected that medium or small sized countries tend to reduce the number of administrative levels involved in their school supervisory system. As a result of the above-discussed question whether a convergence occurs as an effect of the reforms of school administration structures in the German Länder, it is furthermore expected that Länder with lower school supervisory boards are more likely to reform their school supervisory systems. The classification of Länder sizes is conducted in conformity with Reiners (ibid: 56).

Table 3. Classification of the Länder sizes (without city states)

Land	Inhabitants in millions	Surface in 1000 square kilometres	Classification
Nordrhein-Westfalen	17,890	34,1	Very big
Bayern	12,931	70,5	Very big
Baden-Württemberg	10,952	35,7	Big
Niedersachsen	7,946	47,7	Big
Hessen	6,213	21,1	Medium
Sachsen	4,082	18,4	Medium
Rheinland-Pfalz	4,066	19,9	Medium
Schleswig-Holstein	2,882	15,8	Medium
Brandenburg	2,495	29,7	Medium
Sachsen-Anhalt	2,236	20,5	Medium
Thüringen	2,158	16,2	Medium
Mecklenburg-Vorpommern	1,611	23,3	Medium
Saarland	0,997	2,6	Small

Source: Bundeszentrale für politische Bildung 2018, Reiners 2008: 56.

Following, Reiners discusses the socio-economic context in general as well as scarce budgets in particular as enabling factors for broader administrative reforms in the German Länder. His operationalisation of socio-economic context contains the rate of indebtedness, the level of indebtedness and debts per capita. Reiners argues, that scarce budgets during the 1990's led to external pressure on the public sector. In order to demonstrate the capacity to act efficient, public administration structures were therefore extensively reformed. Accordingly, it is to be expected that scarce budgets enable radical reforms (Reiners 2008: 46f). Of course, the performance of school administration is not measured with e.g. the rate of indebtedness, the level of indebtedness and debts per capita. Nevertheless, there are possible indicators for the socio-economic situation of school administrations. For example, Kuhlmann et al. (2011) uses educational spending as indicator of administrative efficiency (ibid: 205). This

understanding is applied subsequently. In order to properly compare the respective Länder, educational spending is operationalised as expenditures per pupil. This way, the different sizes of the Länder as well as possible differences in class or school structures do not bias the results (Statistisches Bundesamt 2018, 2019). Beside of scarce budgets, the shortage of teachers is one of the most difficult challenges school administrations currently have to deal with. This is underlined by the example of Sachsen: when this Land established a new superior school supervisory board in 2018, shortage of teachers was one of the communicated reasons for this measure (Sachsen 2018). Therefore, the number of vacant teacher positions is also analysed. Accordingly, it is expected that lower educational expenditures as well as high numbers of vacant teacher positions are enabling factors for reforms of school administration structures in the German Länder.

Finally, Reiners discusses the actor constellation as an enabling factor for broader administrative reforms. He expects strong party competition to serve as a “motor” for reforms, whereas largely different positions within a coalition tend to support the status quo. Following Reiners, it is furthermore important to consider if the coalition in government consists of former government parties or of former members of the opposition. Accordingly, former members of the opposition tend to prefer radical reforms, whereas former government parties are not expected to radically change their positions. This would again defend the status quo (Reiners 2008: 40). These considerations refer to the hypothesis of partisan influence on public policy (Schmidt 1996). Accordingly, “parties do matter”, i.e. different policy outcomes are to be expected depending on whether the party in government is rather left wing or rather right wing. Besides of a discussion of the question if there are party preferences for certain types of reforms of school administration structures, this paper also analyses whether the coalition in government consists of former government or opposition parties, as this is also expected to determine the scope of the mentioned reforms.

Table 4. Framework

Group of factors	Factor	Operationalisation
Administrative and territorial structure	Size	Inhabitants and surface (see Table 3)
	Structure	Type of school supervisory system (see Table 1)
Socio-economic context	Expenditure	School spending per pupil
	Shortage of Teachers	Vacant teacher positions
Actor constellation	Partisan influence	Political position of the government parties
	Composition of government	Membership of government parties in former governments

Table 4 summarises the framework of this paper. According to the above-conducted deduction, these factors are expected to enable reforms of school administration structures in the German Länder due to the following mechanisms: because of their size, Länder of medium or even small size are expected to reduce the administrative levels included in their school supervisory systems. Furthermore, it is expected that reforms are more likely to happen in Länder with lower school supervisory boards, as there is a clear trend against these institutions. In addition, a challenging socio-economic context, characterised by relatively low school expenditures per pupil and by a high number of vacant teacher positions, is also expected to stimulate reform activities. Finally, a strong party competition or even a change of government is presumably part of the reasons for reforms of school administration structures in the German Länder.

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