



Research Output Journal of Education 5(1):42-47, 2025

ROJE Publications

PRINT ISSN: 1115-6139

<https://rojournals.org/roj-education/>

ONLINE ISSN: 1115-9324

<https://doi.org/10.59298/ROJE/2025/514247>

Page | 42

The Impact of Legislation on School Management Practices

Asuman Bateyo

Department of Business Administration Kampala International University Uganda

Email: Bateyo.asuman@kiu.ac.ug

ABSTRACT

This paper examines the influence of legislation on school management practices, with a focus on historical, federal, and state-level laws that govern education. It analyzes the interplay between law, leadership, and educational management, highlighting key legislative frameworks such as the Every Student Succeeds Act, the Individuals with Disabilities Education Act, and the South African Schools Act. The discussion outlines the challenges and opportunities these laws present to school managers, including regulatory complexities, accountability requirements, and the integration of diverse policies. Case studies demonstrate effective management practices within legislative boundaries, showcasing strategies that align governance with legislative mandates. The paper concludes with recommendations for enhancing legal knowledge among educational leaders and advocates for collaborative research to optimize the synergy between legislation and school management practices.

Keywords: Educational legislation, School management, Federal and state policies, Governance in education, Accountability in education.

INTRODUCTION

The legislative framework, which guides the development of policy, determines the context within which schools operate and has a significant impact on management practices. There is a large and growing body of legislation that is integral to the control management and governance of schools. The laws introduced in the years 1986-1987 marked the beginning of significant legislation being initiated in the area of secondary school. Examples of this legislation include the State Industrial Elementary and Secondary Education Act, the Republic of South Africa Schools Act, the Employment of Educators Act, and the South African Schools Act [1, 2]. The purpose of this essay is to discuss the effects that these and other relevant legislation have on school management practices. In the final analysis, the essay attempts to indicate some of the challenges and opportunities provided by specific pieces of legislation. The paper begins by examining some of the meanings of the terms law and legislation. The paper outlines the many roles that laws can perform in an institution, based on the examination of the meanings of leadership and institutions. The meaning of schools and the resultant meaning of education is also examined. The paper analyzes the relationship between law and management in the context of education. The selected legislation is then discussed and its implications for office-bearers highlighted. This is followed by a discussion on the meaning of administration and management. The historical and legislative challenges to educational management and leadership in South Africa are briefly examined. Finally, the paper suggests some approaches to dealing with legislation in South African educational administration [3, 4].

Historical Overview of Education Legislation

In the United States, education law can be seen as a response to changes in our society. Based on the evolution of the law, one can become more familiar with changes in urban and rural America. Those demographics have played a key role in developing relevant legislation. At critical junctures in United States history, such as the close of the Civil War, the commencement of the Industrial Age, and the 1950s,

This is an Open Access article distributed under the terms of the Creative Commons Attribution License (<http://creativecommons.org/licenses/by/4.0>), which permits unrestricted use, distribution, and reproduction in any medium, provided the original work is properly cited

in which issues of desegregation and racial equity became prominent, reform arguments sought to address societal changes. As the United States rationalizes and revises the ways in which the federal government accommodates poverty, race, and a host of other identity categories, reforms should continue to be sought in domestic law and policy [5, 6]. Since the early industrial era, public schools have undergone a plethora of educational reforms and policy implementation. Many of the reform strategies were significant in shifting the schools' mission from custodial care to educational instruction. Urban and rural populations experienced the throes of a rapidly emerging industrial complex. As the United States shrank geographically, with aircraft travel becoming more popular and the spread of freight and express cargo lines by rail, workers shifted away from rural settings to urban factories. Legislation specific to education adjusted to societal changes but has not always adapted well. Tracking key legislation and influential court cases can give educators a better understanding of the body politic in which they work, and how it affects how they are to manage their school [7, 8].

Key Legislation Affecting School Management

While several laws inform a variety of educational practices, three pieces of federal legislation most significantly affect school management. They can also affect some instructional and curricular decisions but directly impact school management. In addition to federal law, state (and local) laws also deeply affect school management at the local level. The next subsection outlines several key examples of state law. Because school management takes many elective forms and provides several possibilities, leaders must be familiar with the legislation that informs the boundaries in which schools operate. At the federal level, key legislation includes: (a) the Every Student Succeeds Act; (b) the Individuals with Disabilities Education Act; and (c) associated court rulings on race-conscious or neutral policies [9, 10]. At the state level, one example of this complex and varied set of state regulations is found in the teacher employment laws in Virginia as compared with California. In Virginia, a school manager is not required to solicit input from a teacher leader when making employment decisions, per Virginia laws. Meanwhile, California requires multiple subject teacher leaders' input for these decisions, per the California Standards for Teacher Leadership. Legislation is a critical factor in affecting education, and this complexity has a direct impact on school leaders. When policy is updated or adopted, school leaders typically turn it into a culture of practice (e.g., professional development for teachers, revision to hiring strategies, etc.). This one-to-one relationship between policy and practice is discussed in detail in the next chapter of this series [11, 12].

Federal Legislation

Legislation that affects schools can be enacted at the federal, state, or local levels. With this portion of the topic section, I will focus on federal laws and regulations.

1. Federal Initiatives provide a metaphor for the latter part of the twentieth century—a drive for accountability and standards among institutions and governments. The federal legislative branch is the most powerful actor in the policy process. Congress sets budget priorities, determines the amount of funding, and details the oversight and accountability for resources. When it delegates authority to the states and localities, it also sets limits by enacting policies [13, 14].
2. Civil Rights While promised desegregation of public schools, America's schools remained segregated. Congress and the president sought to hold states accountable for desegregating. Subsequent legislation focused on the needs of disadvantaged students. This law provides money to specific schools or districts based on the presence of low-income students. The law was reauthorized multiple times. provides funding for most of these programs and is the primary mechanism used by the federal government to hold schools accountable to the law. To qualify, the state has to come up with a plan that explains how it will legislate federally mandated academic standards, expectations for academic attainment, interventions, and professional development for its schools. Each state had to come up with a plan for how they would develop high academic standards, tests aligned with these standards, and other measures to hold schools, districts and states accountable for student performance. Federal reform efforts offer the potential to shape state subsystems and local priorities, including resource allocation. Administering federal laws and programs is a shared responsibility at the local, state, and federal levels. The federal government makes funds available for programs but requires states to pass federal statutory and regulatory requirements to qualify. However, federal law does give states the ability to write their criteria for who receives funding and to determine which schools and districts will be low-performing, provided they meet federal criteria [15, 16].

State Legislation

State legislation operates at a level below the federal perspective, allowing it to evaluate laws that can differ from one state to another. Despite significant similarities among states concerning their approach to educational management and school governance, states vary in how their constitutions, statutes, or regulatory agencies carry out those approaches. The commonalities for all states in state law are that they regulate schools in several specific ways and delegate decision-making authority to the local level in other areas. Common themes in these state laws include funding, accounting, transportation, assessment, open meetings, public records, and teacher and administrator payment. This ensures that state laws go further than supporting the resolution of conflict and improving decision-making; they also can set the stage for the manager's work in the school and special district [17, 18]. School laws also demonstrate variability in representing the varying levels of legislative involvement with the running of schools. In recent years, each state has established a comprehensive statute or code setting forth required procedures regarding school management and finance to assist in ensuring that all students in the state receive a consistent education, no matter what their local resources are. Most of these educational codes provide a comprehensive overview of what is to be taught and how it is to be taught, and a fees and transportation section that is consistent across all districts. Most of these codes establish a body of criteria for accountability, including the measurement of student performance on a statewide assessment, sanctions for low-performing districts, or the mandate of specific reforms to improve capacity. The statutes are comprehensive, in part, because this is a strategy for tackling school reform in all school districts in the state, according to the guidelines and reform strategies set by the departments of education. Therefore, each state has a code with statutes covering a full array of activities, regulations, and requirements that directly impact schools and/or special districts. In general, the laws are uniform within each state, but in some states, there are more than 50 types of "school districts" that represent the unique needs of their state [19, 20].

Challenges and Opportunities for School Management

The very fact that this paper attempts to examine the impact of changes in New South Wales (NSW) policy and legislation is clear evidence of the tight legislative web within which school managers must now operate. The Commonwealth legislation is set to potentially intercept with legislation and policy from the Australian Capital Territory, Queensland, and South Australia as they package funding from projects. Other legislation and policies developed by various educational associations also greatly impact the local management of schools. Such a complex web of legislation causes much confusion and leads to school managers providing advice to their governing bodies influenced by factors that, not that far in the past, would have been influenced less [21, 22]. One legislative reason why it has galloped is simple: the need to guard against risks due to legislative and regulatory threats such as data collection, performance measure results, regular law audits, and litigation. An increasing amount of time spent on data collection in particular is probably the single largest explanation, but further research would need to be done to establish any such links. The change could also be due to the continuous self-ism of governments and their belief that they know what is best for everyone. This appears to be partly a worldwide movement attributed to an increasingly litigious society. Managing personnel has taken a back step for school leaders [23, 24].

Case Studies of Successful Implementation

From an alternative education program to online learning to charter schools, the six cases in this volume illustrate that schools in the United States can indeed function effectively under most of the operative legislation. The schools in this volume have something more in common. Either by design or through an interesting "twist" due to their particular context, their management practices are such that they are "ahead of the game" as well as congruent with the law. The cases provide us with a rich description of the diversity of schools in the United States. The implications from the six case studies in this volume guide other educators who face vexatious legislative and rule changes and pose a challenge to legislators who regulate education. In the 21st century, the mandate is for active citizenship and personal responsibility—outcomes included in essential school reform legislation. These outcomes and the criteria make essential the involvement of parents, guardians, the workplace community, educational professionals, and students in the development and implementation of this legislation. Not illustrated in this volume, many of the individuals enjoying privileges within the award-winning schools are the major players in the Vermont schools [25, 26]. Additionally, the six cases show that managing under the operative legislation requires learning to interconnect with various federal, state, and local agencies that can provide help or

cooperation. Case by case, we learn that information about "forgeable policy" is available, is not available, or is "unknowable." Passing effective laws often is not sufficient—that is, necessary but not sufficient. Requiring the engagement of participants is essential for the reproduction of ideas and practices that guide and constrain responsible law-based autonomy. Active citizenship and educational reform legislation offer a variety of incentives and compelling reasons to become engaged in one's own, one's family, and one's community's education. Each participant must tell us the reason(s) to engage; it becomes a rationale for responding to a compelling need for education. You want schools to work for you. Then you take an interest in schools and their operations; hope to engage in learning and share what you know [27, 28].

Future Directions

This paper examines the ambiguity associated with enforcing legislative standards and investigates whether more legislation enhances the school leadership and management process. This extension of practical conditions to a conceptual framework has concluded that those in leadership and management roles in schools need to understand the legislation that binds schools in their operations. Ignorance of these laws is no excuse, and educational decision-makers need to keep abreast of the laws that impact and dictate the parameters of their operations. This understanding of laws is not confined to those situated within federal legislation but also needs to extend to state-based laws that could potentially impact future federal laws. It is dynamic and, like society, is under a continuous state of flux. The best lesson that can be taken from the argument in this paper is that we can better understand the landscape of school management if we come to understand the laws that drive it. This knowledge will allow for better understanding and more efficient problem resolution for school leaders and managers in the near and distant future [29, 30]. A question could be posed here that a coherent and meaningful answer is not yet provided, and this is a possible future research question that could be entertained. It would ask, 'What should legislation in this area look like so that it truly does advantage effective school management and leadership?' The quest for an answer here cannot begin with 'more legislation' because it seems evident that bureaucracy in the pursuit of high levels of regulation does not oppress school management, but simply displaces it so that it becomes a management of regulation. Bureaucracy may not greatly enhance school management, but the management of hypocrisy is at least honest work. This dyad of superficial supervision of regulatory practices is more likely the role of further legislative intervention and is, in fact, its symptom, not the legislative absence. The impression, then, is that the attraction to regulatory vigilance is neither a defining insight nor an enlightenment of public values, but a substitute for both. It is therefore recommended that arguments must reflect an awareness of the broader dimensions of discretionary tolerance demanded of agency governance in response to more complex and less easily legislated social inquiry. Future work thus will be directed to research on law and the institutionalization of management practices. Collaboration is proposed most prominently in the advocacy area. It is suggested clearly that a research partnership with practicing teachers and managers may offer a real opportunity to extend and develop the insight and understanding present in this discussion. Nearing the closure of this discussion, resolve must be to re-emphasize that knowledge of the laws – and more importantly – how they are given life ought to be paramount in commencing a dialogue in either professional practice or academic argument. Research positions and beliefs aside, the legal dimension of educational management is, in conclusion, something worthy of advocating.

CONCLUSION

The legislative landscape significantly shapes the practices and decision-making processes of school management. This paper emphasizes the importance of understanding and navigating the intricate web of federal, state, and local laws that govern education. Effective management requires not only compliance but also the ability to leverage legislation to create opportunities for innovation and inclusivity in schools. As the complexity of education laws continues to grow, school leaders must remain agile and informed to address both the challenges and opportunities posed by legislative changes. The findings stress the necessity of cultivating partnerships between educational practitioners and policymakers to align legal frameworks with the practical realities of school governance. Future research should explore ways to simplify and streamline legislative requirements, ensuring they empower rather than encumber school management. Collaborative efforts between academics, school leaders, and legislators could yield transformative insights, fostering a more cohesive approach to legal and managerial integration. By prioritizing a dynamic understanding of legislation, educators can lead schools effectively, ensuring they meet both legal standards and the evolving needs of their communities.

REFERENCES

1. Ryan RM, Deci EL. Intrinsic and extrinsic motivation from a self-determination theory perspective: Definitions, theory, practices, and future directions. *Contemporary educational psychology*. 2020 Apr 1;61:101860.
2. González-Pérez LI, Ramírez-Montoya MS. Components of Education 4.0 in 21st century skills frameworks: systematic review. *Sustainability*. 2022 Jan 27;14(3):1493.
3. Michel-Villarreal R, Vilalta-Perdomo E, Salinas-Navarro DE, Thierry-Aguilera R, Gerardou FS. Challenges and opportunities of generative AI for higher education as explained by ChatGPT. *Education Sciences*. 2023 Aug 23;13(9):856. [mdpi.com](https://www.mdpi.com)
4. Aureli S, Del Baldo M, Lombardi R, Nappo F. Nonfinancial reporting regulation and challenges in sustainability disclosure and corporate governance practices. *Business Strategy and the Environment*. 2020 Sep;29(6):2392-403. [unibo.it](https://www.unibo.it)
5. Isbah MF. Pesantren in the changing Indonesian context: History and current developments. *Qudus International Journal of Islamic Studies (QIJIS)*. 2020 Jun 22;8(1):65-106.
6. Al Lily AE, Ismail AF, Abunasser FM, Alqahtani RH. Distance education as a response to pandemics: Coronavirus and Arab culture. *Technology in society*. 2020 Nov 1;63:101317. [nih.gov](https://www.nih.gov)
7. Bunbury S. Disability in higher education—do reasonable adjustments contribute to an inclusive curriculum?. *International Journal of Inclusive Education*. 2020 Jul 28;24(9):964-79.
8. Ginis KA, van der Ploeg HP, Foster C, Lai B, McBride CB, Ng K, Pratt M, Shirazipour CH, Smith B, Vásquez PM, Heath GW. Participation of people living with disabilities in physical activity: a global perspective. *The Lancet*. 2021 Jul 31;398(10298):443-55. [thelancet.com](https://www.thelancet.com)
9. Eisenstein H. The gender of bureaucracy: Reflections on feminism and the state. In *Women, social science and public policy 2024 Nov 20* (pp. 104-115). Routledge.
10. Pollock K. School leaders' work during the COVID-19 pandemic: A two-pronged approach. *International Studies in Educational Administration*. 2020;48(3):38.
11. Yurkofsky M. From compliance to improvement: How school leaders make sense of institutional and technical demands when implementing a continuous improvement process. *Educational administration quarterly*. 2022 Apr;58(2):300-46.
12. Bartanen B, Husain AN, Liebowitz DD, Rogers LK. The returns to experience for school principals. *American Educational Research Journal*. 2024 Oct;61(5):1030-73.
13. Ajayi-Nifise AO, Tula ST, Asuzu OF, Mhlongo NZ, Olatoye FO, Ibeh CV. The role of government policy in fostering entrepreneurship: a USA and Africa review. *International Journal of Management & Entrepreneurship Research*. 2024 Feb 13;6(2):352-67. [fepbl.com](https://www.fepbl.com)
14. Bade SO, Tomomewo OS, Meenakshisundaram A, Ferron P, Oni BA. Economic, social, and regulatory challenges of green hydrogen production and utilization in the US: a review. *International Journal of Hydrogen Energy*. 2024 Jan 2;49:314-35. [HTML]
15. Virella PM. Introducing the pillars of equity-oriented crisis leadership: a conceptual framework. *School Leadership & Management*. 2023 Aug 8;43(4):390-410.
16. Mango CE. The HBCU Revolution: Desegregation, Disintegration, Collaboration, and Jimmy Carter's 1980 Decision to Give Black Colleges Their Own White House Office. *Fed. Hist.*. 2023;15:57.
17. Litman LM, Shaw K. Textualism, Judicial Supremacy, and the Independent State Legislature Theory. *Wis. L. Rev.*. 2022:1235.
18. Anggono BD, Firdaus FR. Omnibus law in Indonesia: A comparison to the United States and Ireland. *Lentera Hukum*. 2020;7:319.
19. Hoa NT, Huy DT, Van Trung T. IMPLEMENTATION OF STUDENTS'S SCIENTIFIC RESEARCH POLICY AT UNIVERSAL EDUCATION INSTITUTIONS IN VIETNAM IN TODAY SITUATION AND SOLUTIONS. *Review of International Geographical Education Online*. 2021 Oct 1;11(10). [dinhtranngochuy.com](https://www.dinhtranngochuy.com)
20. Rhodes SD, Mann-Jackson L, Song EY, Wolfson M, Filindra A, Hall MA. Laws and policies related to the health of US immigrants: a policy scan. *Health behavior and policy review*. 2020 Jul 1;7(4):314-24. [ingentaconnect.com](https://www.ingentaconnect.com)

21. Blackmore J, MacDonald K, Keddie A, Gobby B, Wilkinson J, Eacott S, Niesche R. Election or selection? School autonomy reform, governance and the politics of school councils. *Journal of Education Policy*. 2023 Jul 4;38(4):547-66. [\[HTML\]](#)
22. Paredes JA, Chaseling M, Boyd BE. Online learning in a time of COVID disruption? The experiences of principals from New South Wales rural and disadvantaged primary schools. *Education in the North*. 2020;27(2):175-95. scu.edu.au
23. 19. 23. Dwivedi YK, Hughes L, Baabdullah AM, Ribeiro-Navarrete S, Giannakis M, Al-Debei MM, Dennehy D, Metri B, Buhalis D, Cheung CM, Conboy K. Metaverse beyond the hype: Multidisciplinary perspectives on emerging challenges, opportunities, and agenda for research, practice and policy. *International journal of information management*. 2022 Oct 1;66:102542. [sciencedirect.com](https://www.sciencedirect.com)
24. Rodrigues R. Legal and human rights issues of AI: Gaps, challenges and vulnerabilities. *Journal of Responsible Technology*. 2020 Dec 1;4:100005.
25. Trounstein J. Representation and accountability in cities. *Annual Review of Political Science*. 2010 Jun 15;13(1):407-23.
26. Gostin LO, Cohen IG, Koplan JP. Universal masking in the United States: the role of mandates, health education, and the CDC. *Jama*. 2020 Sep 1;324(9):837-8.
27. Rane J, Kaya O, Mallick SK, Rane NL. Influence of digitalization on business and management: A review on artificial intelligence, blockchain, big data analytics, cloud computing, and internet of things. *Generative Artificial Intelligence in Agriculture, Education, and Business*. 2024:1-26. [researchgate.net](https://www.researchgate.net)
28. Thach NN, Hanh HT, Huy DT, Vu QN. technology quality management of the industry 4.0 and cybersecurity risk management on current banking activities in emerging markets-the case in Vietnam. *International Journal for Quality Research*. 2021;15(3):845. [archive.org](https://www.archive.org)
29. Poulsen RT, Viktorelius M, Varvne H, Rasmussen HB, von Knorring H. Energy efficiency in ship operations-exploring voyage decisions and decision-makers. *Transportation Research Part D: Transport and Environment*. 2022 Jan 1;102:103120. [sciencedirect.com](https://www.sciencedirect.com)
30. Dwivedi YK, Hughes DL, Coombs C, Constantiou I, Duan Y, Edwards JS, Gupta B, Lal B, Misra S, Prashant P, Raman R. Impact of COVID-19 pandemic on information management research and practice: Transforming education, work and life. *International journal of information management*. 2020 Dec 1;55:102211. brad.ac.uk

CITE AS: Asuman Bateyo. (2025). The Impact of Legislation on School Management Practices. Research Output Journal of Education, 5(1):42-47. <https://doi.org/10.59298/ROJE/2025/514247>.