



# Effectiveness, Not Seniority: Keeping the Best Teachers in High-Need Schools

California has a critical problem: Too many low-income and minority students are stuck in low-performing schools where they are denied equal access to the educational opportunities they need to succeed in college and a career.

Too few of these students are taught by highly effective teachers, even though research shows that the quality of teaching is the most important factor in improving student achievement. Today's budget crises are exacerbating this inequity. When teachers are laid off through a seniority-based process that prioritizes years of service over effectiveness, students in high-need and low-performing schools are too frequently the victims of the churn. Teachers in these schools disproportionately receive pink slips, subjecting students to a revolving door of teachers and substitutes.

The Education Trust–West believes that the “last-in, first-out” method of teacher layoffs violates basic principles of fairness and equity. In crafting a solution to this problem, policymakers must place a higher priority on measures of effectiveness, especially in tough budget times, so that school districts have the flexibility to base staffing on the needs of students. That means instructional quality – not solely a teacher's years of service – should factor into layoff decisions.

Using experience as a proxy for effectiveness is not an adequate solution, and it does not make sense for policymakers to mandate the “mix” of teacher experience in our schools. Any attempt to address the disproportionate impact of layoffs on

our most vulnerable students without directly addressing teacher effectiveness may have significant negative consequences. One such risk: pushing out the great young teachers our students and school systems need.

In this brief, we consider two myths about using teacher experience as a proxy for teacher effectiveness. We then make the case for the state to enforce quality-based layoff rules that would let districts and schools protect their best teachers at a time when great teachers count more than ever.

## MYTH #1: BALANCING AVERAGE YEARS OF TEACHING ACROSS SCHOOLS WILL ADDRESS INEQUITIES.

Researchers from the Center on Reinventing Public Education (CPRE) found that teachers at risk of layoffs in California are concentrated in schools with low-income and minority students.<sup>i</sup> Yet conventional wisdom assumes that if teachers in these high-need schools are, on average, as experienced as teachers in other district schools, students will have equal access to high-quality instruction, thus avoiding the disproportionate impact of layoffs.

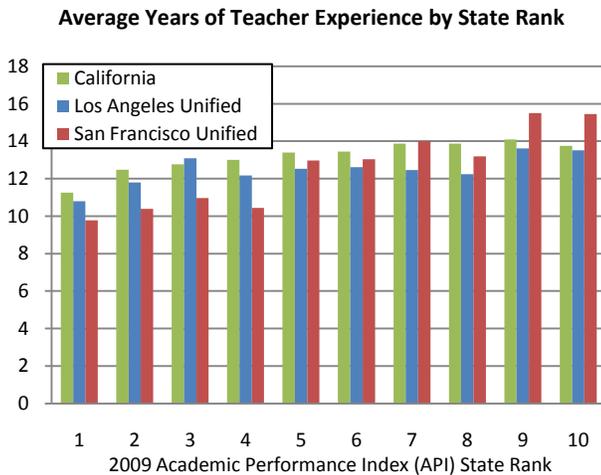
However, using “average years of teacher experience” as an indicator of equity in schools is poor policy for the following reasons:

### **Average teacher experience is roughly equivalent across schools statewide.**

On average, lower performing schools in California do not have dramatically less experienced teachers. Even without an explicit state law in place, the average years of teaching experience does not vary much between low-performing and high-performing schools

statewide, ranging from more than 11 years of experience for the lowest to near 14 for the highest.

The distribution of teachers by experience within two sample districts, Los Angeles Unified and San Francisco Unified, demonstrates that experience does not differ dramatically across schools, regardless of their statewide ranking in the Academic Performance Index (API).



Source: Education Trust–West analysis of California Department of Education data.

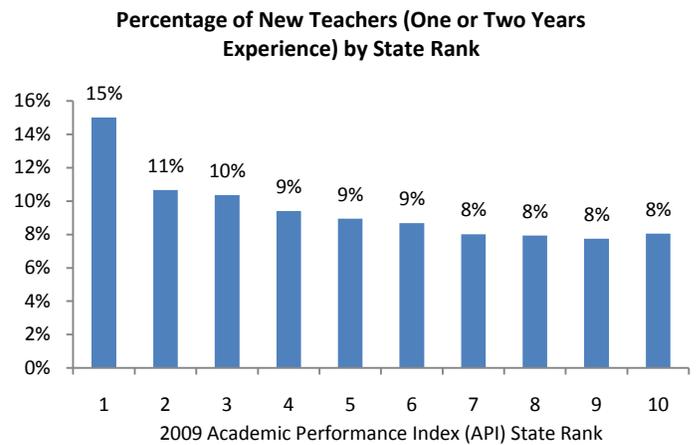
**Even in the most struggling schools, the average years of teacher experience is high.**

In the lowest performing 10 percent of schools in the state (those with an API rank of 1), the average California teacher has more than 11 years of experience. Although the average years of experience in top-ranking schools is slightly higher than in bottom-ranking schools, even the bottom-ranking schools, on average, are providing students with access to teaching staffs that are on average, decidedly veteran.

**Averages mask inequitable distributions.**

Although the *average* years of experience is similar across schools, the data do show that lower performing schools have higher proportions of new, untenured staff members than other schools. This reality is hidden by simple averaging. For example, in a low-performing school, half of the

teachers could be new and the other half, very senior, while still maintaining an average equivalent to the rest of the district.



Source: Education Trust–West analysis of California Department of Education data.

Research on teacher effectiveness from other states identifies these two periods of a teacher’s career (the beginning and the end) as the times when teachers are least effective in producing positive outcomes for students.<sup>ii</sup> Under current layoff policies, less senior teachers always receive layoff notices regardless of their effectiveness – while more senior teachers who may be ineffective can remain on the job.

**MYTH #2: A MORE EXPERIENCED TEACHER IS A MORE EFFECTIVE ONE.**

Teacher effectiveness – *not years of service* – has consistently proved to be the single most important school-based factor in determining student achievement. Placing greater numbers of more senior teachers in low-performing schools will not help increase student achievement – unless the teachers are effective.

**Teacher effectiveness does not necessarily improve with experience, research shows.**

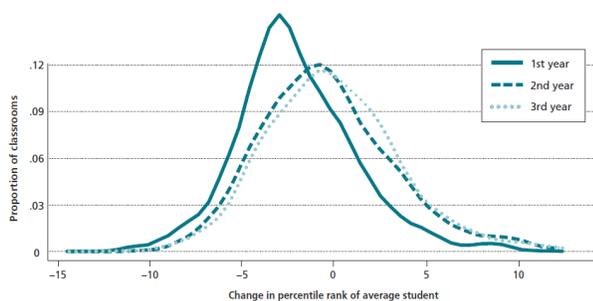
Once teachers have three years of experience, they are no more effective than more experienced tenured teachers, according to a new report by the National Council on Teacher Quality, “Teacher

Layoffs: Rethinking ‘Last-Hired, First-Fired’ Policies.”<sup>iii</sup> In fact, this report highlights research from the Value-Added Research and Assessment Center at the University of Tennessee, which finds that effectiveness actually decreases toward the end of a teacher’s career.<sup>iv</sup> All of this evidence points to one conclusion: A veteran teacher is not necessarily a better teacher.

**Although effectiveness grows in the early years of a career, some teachers are just more effective than others.**

Researchers from the Brookings Institution found that effectiveness between teachers varies considerably, even as they gain experience.<sup>v</sup> Even in the first three years of a teacher’s career, some teachers are simply more effective than others. Furthermore, the gap between a great teacher and a poor teacher does not narrow, even as teachers become more experienced. This reinforces the notion that retaining the most effective teachers – even if those are *new* teachers – will positively affect student achievement. California cannot afford to wipe out entire cohorts of new teachers, when many of them already are highly effective.

**Payoffs from more experience are small relative to the difference in effectiveness between teachers.**



Note: Classroom-level impacts on average student performance, controlling for baseline scores, student demographics, and program participation. LAUSD elementary teachers, < 4 years’ experience.

Source: Gordon, R., Kane, T.J., and D. O. Staiger. 2006. “Identifying Effective Teachers Using Performance on the Job.” Washington, D.C.: The Brookings Institution.

## **SOLUTION: MAKE TEACHER EFFECTIVENESS THE TOP PRIORITY IN STAFFING AND LAYOFFS.**

Proponents of basing layoff decisions on seniority alone argue that this approach is more objective and therefore fairer. They contend that the current system rewards loyalty and that the rules protect teachers who may have trouble finding a new job later in their career. These arguments are based on adult interests and have nothing to do with producing the best outcomes for students – which, of course, is exactly what teachers are hired to do.

**Teacher performance should be the determinant criterion for layoff decisions.**

The state education code must be revised to allow local school districts to make layoff decisions based on teacher performance. This will enable them to protect their best teachers at a time when great teachers are more important than ever.

Local leaders need flexibility in determining how to measure teacher quality; data suggest that teachers agree. According to a survey of 9,000 teachers by The New Teacher Project, teachers at every experience level think schools and districts should consider factors other than length of service when making layoff decisions.<sup>vi</sup> The survey found that teachers favored three factors, in particular: (1) classroom-management ratings, (2) teacher attendance, and (3) evaluation ratings.

District evaluation systems can incorporate these factors right now to distinguish effective from ineffective teachers – even before the state develops a student-growth model and makes recommendations on multiple measures for a comprehensive evaluation system.

Although The New Teacher Project found that existing teacher-evaluation systems yield overwhelmingly positive ratings and do little to differentiate between mediocre and great teachers, even lax evaluations identify the lowest performing teachers. If layoffs are necessary, these poor performers should be the first teachers to go.

## Protecting effective teachers is possible now, even under current state law.

Although the state education code now requires basing layoffs on seniority, it also allows districts to deviate from this process in two cases: (1) to protect employees with special training and experience and are teaching specialized courses and (2) to maintain or achieve equal protection under the law.<sup>vii</sup>

In the first case, some districts have chosen to retain individuals who hold math, science, special education, or bilingual, cross-cultural, language and academic development (BCLAD) credentials as a “particular kind of service” and skip them in the seniority-based layoff process. Within this context, districts should be able to identify a class of “Highly Effective, High-Need Teachers” to retain when layoffs are necessary. Even in the absence of student-growth models and multiple-measure evaluation systems – which the state and districts will be developing – districts should be able to leverage their existing teacher-evaluation data to make these determinations.

In the second case, districts could skip some or all teachers in seniority-based layoffs, if not doing so would violate student rights to equal educational opportunities. This is consistent with the preliminary injunction filed by the judge overseeing the recent case against the Los Angeles schools, which argued that teacher layoffs in three middle schools impaired educational equity (*Reed v. State of California*). Skipping some teachers in high-need schools – effective teachers, in particular – would ensure that the students who most need the best teachers are not forced to bear a disproportionate burden in times of layoffs.

## CONCLUSION

There's still time to save the jobs of the state's best teachers, but only if the legislature and district policymakers act now. With the prospect of additional budget cuts on the horizon and so many children's futures at stake, California can no longer turn a blind eye to the laws on seniority-based layoffs.

## ENDNOTES

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<sup>i</sup> Roza, M. and C. Sepe. 2010. “The Disproportionate Impact of Seniority-Based Layoffs on Poor, Minority Students.” Seattle: Center on Reinventing Public Education, University of Washington.

<sup>ii</sup> William Sanders of the Value-Added Research and Assessment Center at the University of Tennessee asserts that teachers improve through year ten and diminish in their performance toward the end of their careers. Source: “Teacher Layoffs: Rethinking ‘Last-Hired, First-Fired’ Policies.” National Council on Teacher Quality, February 2010.

<sup>iii</sup> Hanushek, E., and S. Rivkin. 2004. “How to Improve the Supply of High-Quality Teachers.” Washington, D.C.: The Brookings Institution.

<sup>iv</sup> Sanders, W. L., and J. C. Rivers. 1996. “Cumulative and Residual Effects of Teachers on Future Student Achievement.” Knoxville: University of Tennessee Value-Added Research and Assessment Center.

<sup>v</sup> Gordon, R., Kane, T. J., and D. O. Staiger. 2006. “Identifying Effective Teachers Using Performance on the Job.” Washington, D.C.: The Brookings Institution.

<sup>vi</sup> The New Teacher Project, March 2010. “A Smarter Teacher Layoff System: How Quality-Based Layoffs Can Help Schools Keep Great Teachers in Tough Economic Times.”

<sup>vii</sup> California Education Code, Section 44955.