

ENOUGH TO DO THE JOB?

A Special Report by:



Critical Questions about California's Latest Teacher Equity Plan

The disproportionate assignment of new and unqualified teachers to poor and minority students is well documented, both in California and in other states. This year, the federal government has taken action to hold states accountable for eliminating this practice, by finally implementing the teacher equity requirements of the 2001 No Child Left Behind (NCLB) Act. This brief report includes a history of and update on California's response to NCLB's equity requirements, an analysis of the state's most recent plan for ensuring an equitable distribution of teachers, and raises a series of critical questions about the state's plan and its overall approach to addressing the teacher quality gap.

Overall, we urge California to consider its plan to be a work in progress, and to commit to continued improvement of the state's overall approach to meeting the vitally important goal of closing the teacher quality gap.

HOW WE GOT HERE: HISTORY AND UPDATE

As a requirement of NCLB, the California Department of Education (CDE) delivered its Highly Qualified Teacher (HQT) plan to the U.S. Department of Education (USDOE) earlier this summer. All states were required to submit HQT plans that, in summary:

- Provided a detailed analysis of districts, schools, and courses staffed by teachers who are not highly qualified;
- Described the progress towards having highly qualified teachers in all classrooms and what the state will do to assist districts and schools who have not met this goal by June 2007; and
- Included a detailed, specific equity plan with actions to ensure that poor and minority children are not taught by a disproportionate number of unqualified and/or inexperienced teachers.

In its September 2006 report, *Too Little Thought, Too Little Action: California's Teacher Equity Plan Falls Short*, The Education Trust—West criticized California's initial plan for lacking both an adequate analysis of the teacher quality and distribution problem and a realistic plan for resolving it. Specifically, the plan did not include an analysis of the distribution of HQTs among schools of varying minority levels, did not include any analysis of or plans to tackle the maldistribution of inexperienced teachers, and did not put forth a solid plan for resolving the teacher quality gap.

California's initial plan was rejected by the federal government after being deemed deficient in several areas by an outside panel of experts. On September 29, 2006, California submitted a revised HQT plan to USDOE. At that time, a delegated committee of the California State Board of Education (SBE) indicated that the plan was being submitted in order to meet a firm deadline set by the federal government, and acknowledged that there had been little opportunity for the public to review and comment on the new plan. As a result, the SBE pledged to convene interested parties, reconsider and improve the plan, and adopt another revised version by the end of October.¹ Since then, we understand the SBE has decided not to make changes to the HQT plan unless USDOE specifically requests that they do so.

WHAT'S IN THE NEW PLAN: CALIFORNIA'S REVISED SUBMISSION TO THE FEDERAL GOVERNMENT

The revised plan that was submitted to the federal government on September 29, 2006, is considerably longer and more detailed than the state's first effort in July, 2006 (over 300 pages of material compared to just 23 the first time). It reflects a great deal of work on the part of CDE,

and addresses a number of concerns raised by the review panel and other critics of the original plan. For example, the new plan provides an analysis of how non-HQTs are distributed in schools that vary by the percentage minority students, and how teachers statewide are distributed by experience level. The plan also includes much more detailed information about how the state will monitor the problem in struggling districts, how districts will be held accountable for imbalances in the distribution of non-HQTs, and regarding the state's planned activities for addressing the problem.

The cornerstone of the state's plan is its Compliance, Monitoring, Interventions, and Sanctions (CMIS) program. Schools are placed in this program using two main criteria: 1) failing for two consecutive years to meet their Annual Measurable Objective (AMO)² for staffing the school with HQTs, and 2) reporting an HQT percentage of less than 70% in December 2005 (regardless of whether or not they met their AMOs). CMIS schools are grouped into four categories, according to the severity of their shortage of HQTs:

- Category A: schools with HQT percentage of 85% or better (totaling 401 schools)
- Category B: schools with HQT percentage between 70% and 85% (totaling 287 schools)
- Category C: schools with HQT percentage below 70% (totaling 661 schools)
- Category C2: schools that met their AMO for at least a year but reported HQT percentages below 70% in December 2005 (totaling 428 schools)

Of a total of 9,372 schools in California, there are 1,783 schools (representing 372 districts) currently enrolled in CMIS.³ This number is likely to change as districts submit updated HQT data to the state. Once schools are placed in the CMIS program, their districts are required to create plans that ensure that teachers will be highly qualified by June 2007; that explain how Title II, Part A, and Title I, part A, funds and 5-10% of professional development funds are used to help teachers become highly qualified; and that detail specific steps to ensure that poor and minority students are taught at the same rates as other children by highly qualified and experienced teachers. The school itself must complete a worksheet with a plan for each non-compliant teacher to be highly qualified by June 2007.

For Category B, C, and C2 schools, districts must also complete a self-study (using a CDE-provided worksheet) “to develop an equity plan that specifically addresses the issues that have prevented each targeted school within the LEA [local education agency] from meeting NCLB teacher requirement goals.”⁴ Furthermore, districts “must develop solutions to these issues by providing teacher and/or site support.”⁵ School sites must also conduct a self-study, again using a CDE-provided worksheet.

The degree of intervention by CDE varies by category. For Category C and C2 schools (currently about 1,090 schools), CMIS staff will make site visits to “review required documents and assist the LEAs in analyzing their self-studies and creating a plan that specifically addresses the issues that have prevented the specific school sites from meeting the HQT compliance goals.”⁶ For Category B schools, CDE will monitor the implementation of LEAs' plans by phone and email; for Category A schools, plan implementation will be monitored by email and “desk monitoring.”⁷

Schools that didn't meet Annual Yearly Progress (AYP) targets for student achievement are being monitored for HQT compliance as well. Those with fewer than 89.9% HQTs must complete a worksheet with a plan for each non-compliant teacher; those that also show student poverty or minority percentages higher than the district average, or “an average of less experienced teachers” are also required to create an equitable distribution plan, similar to those required of schools in CMIS, as part of their Program Improvement (PI) efforts.⁸ All other schools in the state—meaning those that have met AYP, have met their HQT AMOs, and have more than 70% HQTs—are not required to monitor the equitable distribution of teachers by HQT status or inexperience or do any of the activities described above. It is unclear from the state's plan exactly how many schools this represents, but it likely more than half of them.⁹

ONGOING CONCERNS: CALIFORNIA'S PLAN STILL FALLS SHORT

While the new HQT plan is a marked improvement over the first one, California's overall approach toward closing the teacher quality gap still leaves open a number of questions and concerns.

Still ignoring experience? The plan places little emphasis on the distribution of *inexperienced* teachers.

Of course, teacher experience is not always equivalent to effectiveness. There are first-year teachers who are extraordinary, and veteran teachers who are in need of improvement. However, when there are concentrations of inexperienced teachers in schools with mostly poor and minority students, it places a heavy burden on the students who most need practiced, skilled, and proven teachers, and on the novice teachers themselves, who are entering challenging instructional settings without a cadre of more experienced teachers to support them. Novice teachers make important contributions, and are an unavoidable fact of life in schools: every teacher was once new. The point is that students should not be assigned to novice teachers for multiple years in a row, or assigned to schools where most of the teachers are new every year. But in California, we know that 85% of intern teachers (generally first- and second-year teachers) are teaching in schools with 60% or more minority students—clearly a glaring problem that needs to be addressed.¹⁰

Though federal requirements acknowledge this issue by addressing the distribution of both non-HQTs and inexperienced teachers, California’s plan largely focuses on increasing HQT numbers and makes comparatively little mention of experience-level monitoring. As the program currently stands, no school is placed in CMIS for having an inequitable concentration of *inexperienced* teachers. In other words, districts could have adequate percentages of HQTs but inequitable distributions of inexperienced teachers and would not be identified by the state, nor required to take action to improve.

For those schools that are in CMIS, there is a requirement that their districts’ plans articulate specific steps to ensure that there is an equitable distribution of experienced teachers. The plan does not detail how districts are expected to achieve this, however, or specifically how the state will assist them in doing so.

Also unclear is what metric will be used to analyze the equitable distribution of experienced teachers at the local level. The plan does present an analysis of teacher experience level at the state level, including the percent of first and second year teachers by key school character-

istics. However, when the plan mentions teacher experience at the site level, it is generally expressed in terms of the *average* number of years of teacher experience,¹¹ and suggests that districts compare school averages against one another to identify maldistributions of inexperienced teachers.¹² However, comparing an average to another average could mask substantial disparities and disguise the problem that the teacher quality provisions in NCLB seek to remedy: the concentration of *inexperienced teachers*. Furthermore, California’s HQT plan does not appear to offer any guidance for determining what is considered an inequitable distribution, whether using averages or any other metric.

Moving forward, we would suggest that the percent of first- and second-year teachers be calculated for each site, that the state offer specific guidance on what percent differences should be considered “inequitable.” Moreover, the state needs to consider implementing an overall cap on the percent of first- and second-year teachers a school can have before being considered to have an inequitable distribution, in the event that whole districts have unacceptably high percentages of novice teachers. Finally, the percent of inexperienced teachers should be used as an additional criterion for placement in the CMIS program.

In short, the lack of detail on how concentrations of inexperienced teachers will be identified and corrected makes it difficult to say with confidence that the issue will be adequately addressed. Addressing the distribution of inexperienced teachers is important both for maintaining federal compliance and, much more importantly, for better monitoring of the teacher quality gap. As is described in our earlier report, *Too Little Thought, Too Little Action*, California’s HQT definition sets the bar relatively low for achieving “highly qualified” status. New teachers can be quickly enrolled in intern programs—known to vary widely in quality and intensity—to be considered highly qualified, and veteran teachers can opt to demonstrate subject matter competence through the Housse process, which depends highly on local discretion and can lack rigor. As time progresses, virtually all teachers may be deemed “highly qualified,” and any apparent variations in teacher quality might all but disappear. Because the definition of HQT in California represents only a minimal standard for determining teacher quality, and because there are few if any other measures of teacher quality col-

lected by the state, identifying concentrations of first and second-year teachers becomes vital to the analysis of how teacher talent is distributed.

Passing the Buck? Local districts may not have the capacity needed to do what the state’s plan demands.

The state’s plan places much of the responsibility for closing the teacher quality gap in the hands of local districts. As described above, the CMIS program requires districts that are struggling to achieve HQT compliance to analyze the root causes of their problems and to develop detailed plans for achieving the equitable distribution of teachers. While these actions are certainly needed to address the teacher quality gap, they are complex undertakings that may prove very challenging for local administrators who have, to date, not been successful in fully staffing their schools with HQTs. It is not at all clear that districts have the capacity to conduct meaningful analyses and effectively plan and implement responses to the problems they find.

To be clear, the revised plan does provide a few tools for self-analysis (such as self-study worksheets for both the district and state level); does state that CDE will provide technical assistance in the form of workshops, web casts, and an upcoming resource guide; and also indicates that CMIS staff will be available by phone, email, or in the most severe cases, by actually visiting sites to help develop the equity plans described above. However, the content and intensity of that technical assistance is not described in depth and it is not clear that CDE will be able to provide more than brief assistance at a given site. Given the large number of schools and the magnitude of the ongoing obstacles these schools will face in addressing the teacher distribution problem—including local working conditions, regional labor markets, and collective bargaining agreements, to name a few—the assistance from CDE may not be enough to make a significant difference. New initiatives established by SB 1209 (Personnel Management Assistance Teams in six county offices and a statewide clearinghouse of best practices in personnel management and hiring) may help fill gaps in technical assistance, but that remains to be seen.

California’s plan is missing attention to how districts will tackle the *distribution* issue, and whether the state’s technical assistance efforts will be substantial enough to assist

districts in correcting it. Districts absolutely should be held accountable for addressing equitable teacher distribution (regardless of NCLB), but the state will need to provide strong leadership that is just as focused on concrete, realistic *strategies* as it is on outcomes. Clearly, heavy lifting will be needed by both the state and districts if progress is to be made in closing the teacher quality gap—absolutely essential if California is to live up to its commitment to close gaps in student achievement.

Is the State Plan Enough? California’s state-level efforts may not be sufficient to get the job done.

As described above, a key part of California’s plan is its CMIS program. A second piece of California’s HQT plan is a long list of *state-level* policies and programs that are intended to address the issues raised by NCLB’s HQT requirements. In California’s plan, these activities are grouped into four categories:

1. Connecting teaching professionals to higher education
2. Increasing the number of highly qualified teachers in California
3. Improving the quality of teachers in hard-to-staff schools
4. Recruiting and retaining highly qualified teachers in hard-to-staff schools

While these themes are logical enough, the set of activities listed within each of the categories do not necessarily form a cohesive strategy. For example, the category titled “Recruiting and Retaining HQTs in Hard-to-Staff Schools” includes:

- SB 1133, a bill resulting from a legal settlement that invests \$2.7 billion in K-12 schools over seven years to improve working conditions in the lowest-performing schools (bottom 20%), primarily by reducing class size;¹³
- SB 6, part of the mandate following the *Williams* lawsuit, which allots \$30 million for improving facilities at low-performing schools (bottom 30%);
- SB 550, a bill that provided \$5 million for instructional materials, and \$15 million for counties to monitor specified working conditions;

- SB 1209 which, among other things, establishes Personnel Management Assistance Teams in six county offices and offers Salary Planning Grants to districts that propose alternatives to the traditional step-and-column compensation scheme;
- The Teacher Recruitment Program coordinated by Sacramento County Office of Education, funded at \$3 million, a recruitment program aimed at low-performing schools (bottom 30%) in three geographical areas in the state;
- The Extra Credit Teacher Program, a small program which provides down payment assistance to teachers working in high-priority schools;
- Transition to Teaching grants, a federal program aimed at recruiting mid-career professionals to high-need schools.¹⁴

While any one of these programs may be a well thought-out intervention, the collection as a whole represents a piecemeal assortment: programs are of vastly different scales, some have originated from legal action, a few are quite small and marginal, and one is a federal program. The activities appear to have been developed over time and in isolation from one another, rather than reflecting a careful analysis of the underlying causes of teacher attrition and lack of interest in the profession, coupled with a thoughtful approach to resolving those problems.

We believe there is a need to acknowledge and address the shortcomings of California's "plan" for addressing teacher equity, rather than to present an exhaustive list of all teacher-related programs and assume that together, somehow, they will accomplish the task at hand. What's necessary moving forward is a comprehensive effort of the California Department of Education, the State Board of Education, the Secretary of Education, and the Legislature, to strengthen the programs we have, eliminate those that aren't working, and add new, research-based strategies where gaps in service are found. CDE can and should take a leadership role in this kind of effort.

As a first step, California's HQT plan should include information on the number of people participating annually in each of the listed programs. Presently the plan does not provide information about the number of annual par-

ticipants for all of the various programs listed, making it difficult to ascertain whether they are of sufficient size and scope to address the teacher equity problem. (For example, the Troops to Teachers program, mentioned as an effort to increase the numbers of HQTs in California, has contributed fewer than 600 teachers to the workforce *over the past 15 years*.¹⁵) As a second step, the plan should include a much more realistic assessment of the likely effectiveness of each effort, and an honest assessment of how the efforts work together (or don't) towards achieving the desired outcome.

Enough accountability? State-level programs may not be adequately monitored for success.

California's plan describes how districts struggling with staffing problems are expected to develop equity plans that have specific goals, benchmarks, and timelines.¹⁶ When districts are failing to meet their AYP and HQT goals, they must take additional steps to identify specific funding sources for each of their planned activities, the responsible persons for activities, details on how the district or county will evaluate progress, and the steps they will take when evaluations determine the plan is not successful.¹⁷ These provisions are appropriate for ensuring accountability and good planning, but state level activities should also be held to the same standard, and they are not.

In the case of some state-level activities, the HQT plan does note what program data will be looked at to determine its effectiveness. In addition, the plan states more generally that the SEA will monitor progress by "collecting data on the programs used and their success within each LEA."¹⁸ Also, the plan says that CMIS will be evaluated in June 2007, December 2007, and March 2008.¹⁹ However, there is an overall lack of clarity about specific program goals, what benchmarks will be used, and how the data collected will be used to improve efforts. This ambiguity is not afforded to local districts, and it should not be accepted at the state level, either.

It is telling that the federal requirements ask that states provide "evidence for the probable success" of their strategies, and that California, in most cases, simply fails to do so. Although many of the state-level efforts listed are longstanding, there is generally no or very little evaluation data available for them—a reflection of the state's

inadequate data system and limited investment in program evaluation. California's lack of information about whether its programs are successful or not is glaring: the plan includes various tables that list state efforts, including a column for "evidence of probable success," but there is hardly any real evidence to be found there. Instead, as "evidence," the state provides information about future evaluation activities, general statements about why the program is thought to be useful, and, in one case, an acknowledgement that "no data of success of this program [are] currently available."²⁰

Insider game? The plan is not accessible.

In addition to the concerns raised above, the plan suffers from other important deficiencies. First, it is extremely long and difficult to comprehend, even for those who are familiar with the jargon of education policy and practice. There is also an overall need to clean the document to enhance its clarity: there are tables with contradictory numbers, references to appendices that don't exist, inconsistent program names, and so forth. The need for a more streamlined, publicly-accessible version was noted at the September 26 SBE meeting, but has yet to materialize. Also, despite giving the public virtually no time to review the completed plan before it was finalized and sent to the USDOE, the state has now decided to forego any further revisions to the plan unless changes are requested by the federal government. Furthermore, the September 29 version has not been circulated widely or made easily accessible on the state's website or USDOE's website, as of October 31. Moving forward, we recommend that the state clean up its current plan and make a synthesized, more legible version easily available to the general public.

CONCLUSION: A CALL FOR LEADERSHIP

As we stated in *Too Little Thought, Too Little Action*, the critical question is not whether California's HQT plan will be accepted by the federal government. Far more important is whether California's planned activities will actually result in closing the teacher quality gap. California has suffered a unfair distribution of teachers for years, and for years the problem has been well publicized. Only in recent months, though, has the federal government finally required California to confront the issue head-on and declare what will be done about it. Unfortunately, now that all of the state's efforts for addressing the problem have been catalogued in the state's HQT plan, it's clearer than ever that California simply doesn't have a comprehensive vision for how to close the teacher quality gap that has hobbled the achievement of California's minority and low-income students for far too long. Instead, the HQT plan has been more of an effort to comply with the technical requirements of the federal law.

Looking forward, California needs to keep a closer eye on how and where inexperienced teachers are concentrated—not just in those districts with HQT shortfalls, but in all districts. In addition to monitoring HQT compliance percentages, the state needs to focus equally on ensuring that districts have the technical assistance needed to take on the very challenging task of ensuring that poor and minority students are not taught disproportionately by unqualified or inexperienced teachers. California also needs to acknowledge and face the shortcomings of its state-level efforts at addressing the teacher quality gap and take steps to improve them. Besides an improved data system, the state also needs an ongoing commitment to measuring the impact of its programs on student achievement: neglecting to investigate whether things are not working is no longer acceptable. Difficult though these tasks may be, they will be absolutely essential to making good on our promise to close the achievement gap in California.

Endnotes:

¹ California State Board of Education. (September 26, 2006). Meeting handout: "SBE's Delegated Committee to Consider Final Revised HQT Plan: Proposed Committee Action." See also Letter of Transmittal from California State Board of Education to U.S. Department of Education (September 29, 2006), submitted with HQT plan.

² AMOs were determined by taking the target goal of 100% HQTs, subtracting the percent HQTs the school reported having in 2003, and dividing the difference by three. In other words, schools were expected to bring their HQT percentages up to 100% in 3 years, and to progress a third of the way there each year. Source: CMIS Technical Assistance Training Binder, from the California Department of Education.

³ California State Board of Education. (September 29, 2006). *California's Revised State Plan for No Child Left Behind: Highly Qualified Teacher*. p. 25, 57. Note: In the state's plan, the number of CMIS schools reported in each category do not add up to the total number of schools reported to be enrolled in CMIS (a difference of 6 schools). The reason for this slight discrepancy is unknown.

⁴ Ibid. p. 21.

⁵ Ibid.

⁶ Ibid. p. 23.

⁷ Ibid. p. 21.

⁸ Ibid. p. 16-17. Note: Schools failing to meet AYP that have greater than 90% HQTs will be monitored and assisted by the Program Improvement (PI) and School Assistance and Intervention Team (SAIT) programs.

⁹ The plan states that 1,783 schools were originally identified for CMIS (p. 57), that 631 schools were added to CMIS following the analysis of schools' AYP status (p. 16), that 966 schools failing to

meet AYP but with greater than 90% HQTs will be monitored by PI and SAIT programs (p. 16, also see previous footnote), and that 876 schools failing to meet AYP and with fewer than 90% HQTs will be monitored in a similar fashion to schools in the CMIS program. This appears to represent a total of 4,256 schools that will be monitored for HQT compliance in some way, or about 45% of California's schools.

¹⁰ As shown in *The Status of the Teaching Profession 2005*. Santa Cruz, CA: The Center for the Future of Teaching and Learning.

¹¹ In California's HQT plan, the District LEA Self-Study worksheet asks districts to report the average years of teaching experience in the district. The lists of schools included in the plan's appendices also list the average years of teacher experience (though these data, in many cases, are missing). The School Self-Study worksheet asks schools to report the percent of teachers with 1-5 years' experience, 5-10 years' experience, and 10 or more years' experience.

¹² California State Board of Education. (September 29, 2006). *California's Revised State Plan for No Child Left Behind: Highly Qualified Teacher*. p. 24.

¹³ Ibid. p. 69.

¹⁴ Ibid. p. 41-43.

¹⁵ Troops to Teachers. (October 2006). Personal correspondence.

¹⁶ California State Board of Education. (September 29, 2006). *California's Revised State Plan for No Child Left Behind: Highly Qualified Teacher*. p. 55.

¹⁷ Ibid. p. 17.

¹⁸ Ibid. p. 28.

¹⁹ Ibid. p. 71.

²⁰ Ibid. Attachment 12a, p. 3.

ENOUGH TO DO THE JOB?

Critical Questions about California's Latest Teacher Equity Plan

© The Education Trust—West, 2006

155 Grand Avenue, Suite 1025 • Oakland, CA • 94612 • Tel 510.465.6444 • Fax 510.465.0859

www.edtrustwest.org



About the Education Trust—West

The Education Trust—West is the West Coast presence of the national policy organization the Education Trust. We work for the high academic achievement of all students at all levels, kindergarten through college. While we know that all schools and colleges could better serve their students, we concentrate on the institutions most often left behind—those serving low-income, Latino, African American, or Native American students.

The Education Trust—West works alongside policymakers, parents, education professionals and business and community leaders, in cities and towns throughout California, who are trying to transform their schools and colleges into institutions that genuinely serve all students. For more information please visit our website at www.edtrustwest.org.