

TESTIMONY OF GAVIN PAYNE:
THE STATE OF TEACHER QUALITY IN CALIFORNIA:

The purpose of No Child Left Behind, Teacher Quality requirements are to ensure that all students have qualified and effective teachers; that is, teachers with the subject-matter knowledge and teaching skills necessary to help all children achieve to high academic standards, regardless of individual learning styles or needs. To be considered “highly qualified” teachers must possess at least a bachelor’s degree, be fully licensed by the State, and demonstrate content knowledge in each subject they teach. In 2002-03 the percentage of core academic classes taught by highly qualified teachers was 48% for all schools in the State; 60% for all elementary schools; and 44% at the secondary level. At high-poverty schools, 35% of the classes were taught by highly qualified teachers while the number climbed to 53% at low-poverty schools. As of October 2004, based on district reported Year 1 data using NCLB parameters and school level data used on Consolidated State Performance Report grade level definitions, the percentage of core academic classes taught by highly qualified teachers has risen to 74% for all schools in the State; 78% for all elementary schools; and 73% at the secondary level respectively. At high-poverty elementary schools 75% of the classes were taught by highly qualified teachers while low-poverty elementary schools reported 81% compliance. At the secondary level high-poverty schools were reporting 61% of the core academic classes were taught by high quality teachers, while 81% of the classes were compliant at low-poverty secondary schools.

THE STRATEGIES EMPLOYED TO IMPROVE TEACHER QUALITY IN CALIFORNIA, INCLUDING RECRUITMENT AND RETENTION STRATEGIES AND EFFORTS TO ENSURE THAT MINORITY AND DISADVANTAGED CHILDREN ARE NOT TAUGHT BY INEXPERIENCED TEACHERS AT HIGHER RATES THAN THEIR PEERS.

California’s teacher workforce is the largest in the nation with more than 300,000 teachers serving a population of over six million students. During the past decade substantial progress has

been made in meeting California's teacher workforce shortage. The growing number of teachers without full credentials, created by the class size reduction program in the mid-1990s has been reduced in half, from 42,000 in 2000-01 to around 20,000 in 2004-05, approximately seven percent of the teaching workforce. Projections suggest that the demand for teachers will continue to grow through 2014-15. In previous decades, more resources were in place to recruit, prepare, and develop large numbers of teachers. However, state funding and support for teacher recruitment initiatives, such as the Governor's Teaching Fellowships, and Teaching as a Priority, established in the late 1990' through 2001 to respond to the severe shortages of qualified teachers have been sporadically funded and, in some cases, eliminated from the state's budget due to budget deficits.

California also must address the unequal distribution of the most well prepared and experienced teachers in schools throughout the state. Data gathered by the California Basic Educational Data System (CBEDS) indicates that students measured as the lowest achieving are five times more likely to have under prepared teachers than higher achieving students as they proceed through their school careers.

The California Department of Education recognizes the need to ensure than poor and minority children are not taught by inexperienced, unqualified or out-of-filed teachers at higher rates than other children. As a local control state, the CDE has limited ability to require districts to adopt programs to insure equitable distribution of highly qualified teachers. To address this issue the CDE, in conjunction with the legislator are recommending several significant initiatives. The first initiative is Senate Bill 1209, introduced by Senator Scott, would in part increase intern funding to participants in high poverty/high minority, hard to staff schools and create a

certificated staff mentoring program to encourage veteran teachers to teach in high poverty/high minority, hard to staff schools. Specifically, SB-1209 would:

Section 23 – Increase intern funding to programs to enhance internship programs that agree to:

1. provide teacher interns with the greater of 1) 120 hours of intensive preservice training focusing on the teaching of English Language Learners or 2) 40 hours of preservice training in addition to all other required training
2. provide all teacher interns with 40 hours of classroom observation, supervision, assistance, and assessment by one or more experienced teachers
3. maintain a ratio of no fewer than one experienced teacher to 5 teacher interns at the same school site.
4. to continue to receive increased intern program funding a school district annually shall show to the commission that no high priority school will have a higher percentage of beginning teachers than the district-wide average of beginning teachers at a school in that school year.
5. increased funding of \$4000 per intern per year to any school district or county office that meets the above requirements
6. participants in either an intern or induction program are eligible to generate enhanced funding

Article 6 – Certificated Staff Mentoring Program

1. Established to encourage excellent, experienced teachers to teach in staff priority schools and to assist teacher interns during their induction and first years of teaching
2. Superintendent will reimburse districts \$6000 per teacher per year for eligible teachers plus an amount equal to 5% pf the total stipend reimbursement for administrative costs
3. Staff priority schools means that a school has an aggregate API score that was at or below the 30th percentile relative to other public schools in the state in any of the five previous school years
4. To be eligible for the stipend an experienced teacher must:
 - a) Have a professional clear credential that would allow the teacher to instruct at the grade level and in the subject area to which the beginning teacher and intern is assigned
 - b) Have no less than 3 years experience instructing in grade level and subject matter
 - c) Teach in a staff priority school and agree to provide assistance to at least one, but no more than 5, interns or beginning teachers
 - d) Must meet the needs of the school and have demonstrated ability to foster pupil achievement and learning as determined by the principal

The second initiative is to enhance CDE's existing data base. CDE Staff has responded to numerous e-mails and phone calls from prospective teachers and out-of-state teachers seeking to clarify the requirements for becoming a California teacher. Periodically LEAs have also contacted the CDE inquiring on the possibility of locating qualified teachers. In addition, individuals both within the state and outside the state have inquired about the availability of

teaching positions in various parts of the state. While general responses have referred candidates to the California Commission on Teacher Credentialing Web site, and to county offices of education or to specific LEAs, many times candidates return to the CDE seeking additional information. In an attempt to address issues of teacher equity the CDE is working to expand and enhance its Web site entitled TEACHES California. Improving this Web site will provide Local Education Agencies (LEA) with a comprehensive web-based system to attract highly qualified teachers in the four academic content areas- English language arts, mathematics, science, and history/social science.

The third initiative is CDE's required monitoring of LEAs as part of the Title II, Part A program. As part of the newly refined Compliance Monitoring, Intervention and Sanctions (CMIS) program LEAs must verify that they do not have greater percentages of non-highly qualified teachers at their high-poverty, hard to staff schools than at their low-poverty schools. In working with LEAs during the monitoring process CDE staff will be targeting use of Title II, Part A funds and other resources to alleviate disparities found.

In contrast to previous reauthorizations of the Elementary and Secondary Education Act, the No Child Left Behind (NCLB) Act of 2001, requires that the state educational agency (SEA) and the local educational agencies (LEAs) be held jointly accountable for the goals included in the LEA's submitted plan. As part of NCLB Sec. 1111, each SEA must develop a plan to ensure that all teachers teaching in core academic subjects are highly qualified no later than the end of the 2005-06 school year. The CDE has been very successful in educating the field on NCLB Teacher Quality requirements. However, as the federal monitoring report indicated CDE have been less successful in monitoring districts to insure they are complying with all requirements. In response

to this finding, the CDE has revamped the NCLB Professional Development Resource Guide Section 4: LEA Accountability for NCLB Teacher Requirements. California's plan to meet the accountability requirements for NCLB teacher requirements, which include data collection and reporting, annual review of progress, improvement plans, the LEA monitoring and the CDE interventions is the NCLB Compliance Monitoring, Intervention and Sanctions (CMIS) program. The CDE challenge is to ensure the completeness and accuracy of HQT data reported to the State by LEAs specifically related to: (1) how LEAs report to parents and the public on classes taught by non-highly qualified teachers, (2) steps taken to ensure that experienced and qualified teachers are equitably distributed among classrooms with poor and minority children and those of their peers, (3) hiring in Title II Class Size Reduction and Title I programs, and (4) Title II, Part A funds and selected Title I, Part A funds are being appropriately expended. Additionally, the CDE must ensure that all LEAs are collecting the data necessary to report annually on these performance indicators for each school and for the quartiles of schools with highest and lowest poverty rates.

THE PROCESS OF IMPLEMENTING NCLB'S HIGHLY QUALIFIED TEACHER REQUIREMENTS IN CALIFORNIA INCLUDING OUR VIEWS ON SUCCESSES IN IMPLEMENTING THESE REQUIREMENTS, AS WELL AS BARRIERS TO ITS IMPLEMENTATION.

NCLB Teacher Quality program was assigned to the Professional Development and Curriculum Support Division in 2002. Information regarding NCLB Teacher Requirements was announced in December 2002 with the U.S. Department of Education (USDOE) releasing their first non-regulatory guidance in January 2003. Between February and June 2003 CDE staff held meetings and discussions regarding the HQT definition and requirements. Between July 2003 and February 2004 CDE staff, in collaboration with Commission on Teacher Credentialing, Association of California School Administrators, California Teachers Association, California

School Boards Association, and SBE developed the NCLB Teacher Requirements Resource Guide. In March and April 2004 regional briefings were held on implementation of the NCLB teacher requirements in 14 County Office of Education regions; at the same time the Guide was posted on the CDE website. Beginning in May 2004 technical assistance was provided to LEAs through conference presentations, meetings with professional organizations, and telephone and e-mail responses to over 8,000 inquiries. In November 2004 additional HQT “Frequently Asked Questions” were posted on the CDE Web site and in January 2005 the State Superintendent of Public Instruction sent an advisory letter to all LEAs to clarify the NCLB requirements for paraprofessionals and teachers. Beginning in December 2005 CDE staff once again began collaborating with Commission on Teacher Credentialing, Association of California School Administrators, California Teachers Association, California School Boards Association, CDE and SBE to develop the NCLB Compliance Monitoring, Interventions and Sanctions (CMIS) plan. The Professional Development and Curriculum Support division is currently working on a plan to reassign staff to the CMIS program for implementation purposes.

Implementation of NCLB High Quality Teacher Requirements has been relatively successful in California as demonstrated by data collected from LEAs. However, uniform implementation remains a problem in schools that do not receive Title I funds. Additionally, credentialing issues and recruitment problems make full implementation in special education, small rural schools and alternative programs difficult. Recent flexibility from USDOE has allowed CDE to create flexibility for secondary Special Education teachers and teachers who work in specific small rural schools.

Implementation of NCLB has been difficult in self-contained secondary settings, secondary special education settings, specifically Special Day programs, independent study and alternative settings (e.g. continuation, court schools...). Many new teachers and those entering our state have expressed difficulty in verifying compliance when seeking employment. The biggest obstacle to implementation has been with LEAs who have failed to comply with NCLB regulations, primarily at the secondary level. Some LEAs mistakenly believe they do not have to comply with the law if they do not receive Title I funds, or have chosen to not accept Title II funds. Additionally, many direct and LEA funded Charter Schools have not complied with NCLB regulations for many of the reasons mentioned, and they are under the mistaken belief that NCLB does not apply to them in general.

OUR RECOMMENDATIONS ON IMPROVING THE IMPLEMENTATION OF NCLB'S EXISTING TEACHER QUALITY AND HIGHLY QUALIFIED TEACHER REQUIREMENTS

Increased funding for professional development and teacher support would have a significant impact on compliance. Significant work needs to be done by the Commission on Teacher Credential, in collaboration with CDE, to address issues of credentialing. Specifically, CDE has noted that many LEAs appear to have abused the "Local Board Authorizations" and/or do not clearly understand what the "appropriate" credential is in many cases. The biggest obstacle to implementation has been the inability of the CDE to hold districts directly accountable. The lack of immediate and appropriate sanctions for districts who have failed to demonstrate good-faith effort has lead many districts to ignore or only superficially comply. The Academic Improvement and Teacher Quality Programs Office of the USDOE Office of Elementary and Secondary Education conducted a program review to determine California's progress in meeting the highly qualified teacher (HQT) provisions of the Elementary and Secondary Education Act

(ESEA), as amended by *the No Child Left Behind Act* (NCLB) of 2001. The federal monitoring team was, in general, pleased with California's implementation of NCLB Teacher Requirements. However, the federal team identified areas in which further action is required, including more rigorous oversight of implementation of HQ requirements. California's plan (Compliance Monitoring, Interventions and Sanctions (CMIS) Program) meets the accountability requirements for NCLB, which include data collection and reporting, annual review of LEAs implementation, would be greatly enhanced by improving our sanction options.

OUR RECOMMENDATIONS ON IMPROVING NCLB'S STATUTORY AND REGULATORY PROVISIONS REGARDING TEACHER QUALITY AND HIGHLY QUALIFIED TEACHERS

There are several areas that improved statutory and regulatory provisions, with regards to teacher quality requirements, would aid in uniform implementation. It is the CDE's recommendation that:

1. USDOE more clearly define progressive and appropriately rigorous federal sanctions to undergrid CDE monitoring and technical assistance to LEAs to increase compliance with regards to implementation and adherence to NCLB requirements.
2. USDOE has indicated that NCLB teacher quality verification may be reciprocal among the states. The content, form and nature of subject matter verification vary greatly. A federal requirement for all states to have a "certificate of compliance" form with clearly articulated HQ requirements would facilitate this effort and aid in the movement of teachers among different states.
3. Increased federal funding for a robust⁶ and rigorous and comprehensive technical assistance and monitoring programs would increase LEA adherence to NCLB teacher quality requirements.

4. According to federal guidance dated March 21, 2006, SEAs will limit the use of HOSSE procedures for teachers hired after the end of the 2005-06 school year to those secondary school teachers teaching multiple subjects in eligible rural schools. It is our recommendation that as of July 1, 2006 LEAs will only be able to use HOSSE Part 1 as part of the process to certify teachers hired prior to June 30, 2006. HOSSE Part 1 will continue to be available for Special Education teachers, teachers who qualify for Rural Flexibility and teachers in alternative settings. As of July 1, 2007 LEAs will no longer be able to use the HOSSE process to certify teachers, except for secondary Special Education teachers, teachers who qualify for Rural Flexibility and teachers in alternative settings.

The CDE welcomes this opportunity to share concerns and recommendations. CDE looks forward to continual dialogue with the USDOE.