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August 21, 2009

VIA eRulemaking Portal: www.regulations.gov

Secretary of Education Arne Duncan
c/o Office of Elementary and Secondary Education
Attn: Race to the Top Comments
U.S. Department of Education
400 Maryland Avenue, SW, Room 3W329
Washington, DC 20202

Re: Race to the Top Fund [Docket ID ED-2009-OESE-0006]

The National Education Association appreciates the opportunity to comment on the Notice of Proposed Priorities, Requirements, Definitions, and Selection Criteria published in the July 29, 2009 *Federal Register* regarding the Race to the Top Fund.

On Friday, July 24, 2009, the Department of Education unveiled a package of proposals and priorities designed to invite comment on ways to reform the public education system in this country—the Race to the Top proposal subsequently was published in the *Federal Register*. It is clear that this Administration cares about students and it is clear that NEA and this Administration share the same goal: to dramatically transform the public education system so that every public school is a center of excellence and all students gain the skills and education they need to become lifelong learners and healthy, productive citizens in this global society.

Admirable Goals

NEA appreciates that the Obama Administration is speaking out about a crucial truth: **The current system is failing many students.** If nothing changes, up to half of America's school children who are poor and minority will not graduate from high school—a situation that is not only deplorable, but criminal as well.

NEA applauds the Obama Administration for keeping its commitment to deliver resources to support and improve the public education system. Earlier this year, the American Recovery and Reinvestment Act (ARRA) was enacted, and in July, the Administration unveiled \$4.35 billion of those funds as part of the Race to the Top competitive grant program. With the other grant funds described that day, the federal investment will be close to \$10 billion. NEA applauds the Obama Administration's commitment to students at risk—the grant funds are targeted to schools in the highest poverty areas.

NEA applauds the fact that the RTTT grant applications require the support of teachers and other school staff—for far too long the voices of educators have been ignored.

NEA applauds the fact that the RTTT grant competition will require states to adopt internationally recognized high standards, as well as better tests and more comprehensive tracking of multiple lines of evidence of student achievement.

NEA applauds the fact that the Obama Administration continues to emphasize the importance of teacher quality in student success, and that schools that face the toughest challenges must have the most talented, qualified people available.

Proposal Misses the Mark

Up to this point, the NEA has been a vocal supporter of the Obama Administration's plans to transform public education by being "tight" on goals, but "looser" in how you achieve them. We were in total agreement with the sentiments expressed by Secretary Duncan in a speech at the National Press Club on May 29, 2009 when he said: "You know, when I was in Chicago, I didn't think all the good ideas came from Washington. Now that I'm in Washington, I know all the good ideas don't come from Washington. The good ideas are always going to come from great educators in local communities. And we want to continue to empower them."

Given the details of the July Race to the Top grant proposal, NEA must now ask: Where did that commitment to local communities go?

The details of the RTTT proposal do not seem to square with the Administration's earlier philosophy. The Administration's theory of success now seems to be tight on the goals *and* tight on the means, with prescriptions that are not well-grounded in knowledge from practice and are unlikely to meet the goals. We find this top-down approach disturbing; we have been down that road before with the failures of No Child Left Behind, and we cannot support yet another layer of federal mandates that have little or no research base of success and that usurp state and local government's responsibilities for public education.

Instead of focusing on strengthening enforcement of civil rights laws to promote access and opportunity for students, the Administration has chosen the path of a series of top-down directives that may discourage rather than encourage productive innovation in classrooms and schools across the country. Despite growing evidence to the contrary, it appears that the Administration has decided that charter schools are the only answer to what ails America's public schools—urban, suburban, exurban, and rural—and all must comply with that silver bullet, despite the fact that charters have often produced lower achievement gains than district-run public schools. [See recent report on Chicago's Renaissance 2010 initiative: Young, V.M., Humphrey, D.C., Wang, H., Bosetti, K.R., Cassidy, L., Wechsler, M.E., Rivera, E., Murray, S., & Schanzenbach, D.W. (2009). [Renaissance Schools Fund-supported schools: Early Outcomes, challenges, and opportunities](#). Menlo Park, CA: Stanford Research International and Chicago: Consortium on Chicago School Research.]

We urge the Administration to step outside of this narrow agenda and embrace the diversity of choices available to students, parents, school districts, and states across the country. Well-designed charters are not the only way to innovate, and we need to embrace and champion other models such as magnet schools.

Assessing student learning is another area where we need more and better options. What is being proposed is simply tweaking the current top-down, federally mandated insistence on hewing to standardized test scores. We know that model is not working, so basing even more educational decisions on these same test scores is counterproductive and counterintuitive. Enough is enough.

If we want better results for students:

- **We should not continue the unhealthy focus on standardized tests as the primary evidence of student success.**

Achievement is much more than a test score, but if test scores are still the primary means of assessing student learning, they will continue to get undue weight. This is especially problematic because the tests widely in use in the United States, since NCLB narrowed the kinds of tests in use, typically focus on lower level skills of recall and recognition measured with multiple-choice items that do not adequately represent higher order thinking skills and performance. These are unlike the assessments that are used in high-achieving nations that feature essays, problem solutions, and open-ended items and more extensive tasks completed in classrooms as part of the assessment system. The rules proposed here are likely to lock in these kinds of measures of lower level skills rather than opening up the possibilities for more productive forms of assessment. Furthermore, achievement must also take into account accomplishments that matter in the world outside of school, such as: Are you prepared for college or trade school? Can you form an opinion about something you read and justify your opinion? Are you creative? Are you inventive? Can you come up with a variety of solutions when you're faced with a problem?

- **We should not use data inappropriately in the educational system.**

It is inappropriate to require that states be able to link data on student achievement to individual teachers for the purpose of teacher and principal evaluation. Such evaluations are local school district functions; therefore, requiring statewide linkages does nothing to further the goal of producing a high quality, reliable system of educator evaluation based on student performance and could lead to another unreliable way to hold schools accountable based on a "snapshot" of test score results. Furthermore, by requiring teacher evaluations based on test scores as a condition for receiving RTTT funds, the federal government again attempts to interfere with collective bargaining laws and with contracts, memoranda of understanding, and other agreements already in place in thousands of school districts that provide for negotiation of evaluation procedures.

Significantly, the most prominent research organizations in the United States have confirmed that test-based measures of teacher "effects" are too unstable and too dependent on a range of factors that cannot be adequately disentangled to be used for teacher evaluation, much less for teacher preparation program evaluation. These include the non-random assignment of students with different characteristics, student attendance and parent support, differentials in school and classroom resources, the specific tests used, and the influences of other teachers. The use of these measures can also create disincentives for teachers to work with the neediest students—such as special education students and English language learners—whose learning might not validly be assessed on traditional grade-level tests. Test scores are affected by many, many factors outside the teacher's control, but good teachers will use all their skills and resources to give kids what they need. Some students will need more support and intervention than others, and some students will need more time to reach their goals. Teachers who work with disadvantaged students should not be "evaluated" as ineffective because their students do not hit a particular test target on a particular timeline. And we certainly should not primarily base additional compensation on whether students meet particular testing targets on a particular day. We need to offer incentives so that our best teachers teach the students most in need of assistance, not necessarily teach the students most likely to score highest on a standardized test.

- **We should not continue to support initiatives that ignore the skills necessary to be an effective educator.**

NEA supports alternative routes to licensure, including high quality alternative certification programs. We know of many programs that do require evidence of excellence in the content area taught and have a carefully designed program of required course work in pedagogy and work with a mentor teacher.

In most alternative certification programs, however, the candidates are not fully certified for two years. And in one particular program, Teach for America, candidates are scheduled to leave teaching just as the two years are completed.

We agree that the Race to the Top programs should be focusing on the most challenging schools. And the research is clear that a highly qualified and stable workforce is necessary for true reforms to take hold. Experience, stability, content knowledge, access to induction and mentoring programs, and preparation for teaching diverse learners (cultural, linguistic and students with unique needs) will be key to the most qualified staff in high priority schools. Plans should be designed to attract and retain the best prepared, fire-tested, career individuals who plan to be there for the duration. Alternative certification candidates should be the last ones assigned to schools targeted for real reforms.

- **We should not continue to narrowly focus on charter schools as the only model of reform for schools worthy of serious attention.**

There are good charter schools and there are very bad charter schools. It all depends on how well they are designed and how they are held accountable. Charter schools were originally started as places where educators, communities, and parents who wanted to try something out of the box—such as scheduling or curriculum or parental involvement or ways to motivate students and could experiment—in the hopes that if we found something that worked well, we could scale it up to other public schools.

Putting a cap on the number of charters in a state makes sense so that states can put good systems in place to approve, monitor, evaluate, and hold these charter schools accountable. Among the states that have had the most egregious examples of corruption, mismanagement, and incompetence in charter schools is Arizona, a state that has very lax rules on design and accountability and, not surprisingly, no limit on the number of charter schools that can be established in that state.

Where charters are working well, they are highly accountable, non-selective public schools where public school employees are given unprecedented freedom to experiment with success models that can be scaled up. Taking the caps off charter schools means LESS accountability as monitoring agencies would not have the time and resources to ensure that every charter school would be held to high standards.

Furthermore, the RTTT proposal insists on states adopting a charter school law that “does not...effectively inhibit increasing the number of charter schools in the state...” The “effectively inhibit” language is overbroad and vague, providing ample opportunity for federal interference with state authority to determine how and under what standards charters are authorized and monitored.

Additionally, there are 11 states that do not have charter school laws for varying reasons. For example, Washington State’s citizens have had votes at least three times, and overwhelming majorities voted charters down. When the people of a state speak in this democratic union, the government should listen. Creating a

proposal that focuses its efforts for innovation primarily on charters violates that principle and ignores the other kinds of innovation and creativity happening in the public school system—such as magnet schools, academies and any number of innovative programs from which parents can choose.

In some states, like Montana, the administration’s proposal on charter schools is unconstitutional. It isn’t just unworkable—it is unconstitutional. Under Montana’s standard of accreditation, which was recommended by the State Superintendent and adopted by the Board of Public Education, charter schools are permissible—but none have been chartered. Requiring the opening of charter schools in one of the most rural states in the nation does not make sense.

The proposal also would usurp Montana collective bargaining rights, statutory rights, and local school board governance. The Montana state legislature would be involved in school governance, something MEA-MFT has successfully fought for decades.

If education reform is to be done with teachers and their representatives, instead of to us, it is important that the administration understand what is working already. Montana has a strong public education system. It can be improved, and it is committed to improving education, especially for Native American students, but not at the expense of its state constitution, and not at the expense of members’ statutory and collective bargaining and rights.

Lastly, we urge the Administration to start highlighting models in addition to charters. For example, magnets promote racial and socioeconomic integration more effectively than charters, while offering the same advanced academics and unique courses that make both models popular among parents, according to a 2008 report from the Civil Rights Project at University of California, Los Angeles. The report found that **magnets embody a key advantage over charter schools, namely, integration**: Magnets promote it, while charter schools can exacerbate racial isolation.

Focus on What Works

Instead of continuing with some of the failed policies of the past, we encourage the Administration to base its recommendations on research and on what works.

To meet the challenges of the 21st century, we must transform the system by demanding sweeping changes that changes the dynamic—significantly higher student achievement and significantly higher graduation rates for all groups of students.

Here are some lessons we draw from the past 40-year history of education:

- It’s time we take parental and community engagement as seriously as we take curriculum, standards, and tests. Through more than 125 initiatives in 21 states, NEA’s Public Engagement Project is demonstrating the essential role of school-family-community partnerships in student achievement. Our findings echo those of a six-year-long study of multiple data sources conducted by the Annenberg Institute for School Reform at Brown University: such partnerships contribute to increased student attendance, improved performance on standardized tests, higher high school graduation rates, and college-going aspirations.
- Investments in teachers’ and leaders’ knowledge and skills are essential to all other reforms, and pay off in higher achievement. Strong preparation, mentoring, and professional development, as well as collaborative learning and planning time in schools, are the building blocks of any successful reform.

- Curriculum and assessments must focus on higher order thinking and performance skills, if students are to meet the high standards to which we aspire.
- Resources must be adequate and equalized across schools. We cannot expect schools that lack strong and prepared leaders, well-qualified teachers, and high-quality instructional materials to improve by testing alone.
- Incremental changes yield incremental results. We must be bolder. A legislative tweak here or a regulatory toggle there will not lead to the fundamental and transformative changes in education we all seek.
- When we address change, we have to focus on significant *and* sustainable improvement in the rates of achievement for all students, but especially poor and minority students. The NEA Foundation is doing this with its Closing the Achievement Gaps initiative, and we are starting to see positive results.

Different Actions to Achieve Different Results

NEA advocates a significant and positive improvement to the public educational system that is sustainable. We must focus on turning around struggling, priority schools of all regions of the country that serve diverse groups of students. At the same time, we must be bold enough finally to address the inequities ever-present in the public schools across the country.

NEA wants different results, and we are willing to do things differently because the status quo is not acceptable.

Turning Around Priority Schools

To reach a different and significantly better result for the public education system, NEA proposes that the Race to the Top grant program focus aggressively on states and local school districts working to implement proven school improvement strategies to help close achievement gaps, such as:

- ✓ A dedicated funding stream for school turnaround teams and school improvement.
- ✓ Literacy and mathematics coaches who work with students who are struggling in these subjects and with educators to improve their instructional skills.
- ✓ Incentives to bring more experienced, more qualified teachers, including National Board-certified teachers, to these schools.
- ✓ Training for school principals in school leadership and improvement, along with incentives to attract expert principals to high-need schools.
- ✓ Other school system improvement measures focused on high-need schools, such as the provision of plentiful, high-quality learning materials—textbooks, libraries, computers, and science labs—as well as class size reduction and extended learning opportunities for students.

In addition, educators may have a need for professional development focused on the needs of poor and/or culturally and linguistically diverse students. If that is the case, NEA's publication, *C.A.R.E. (Culture, Abilities, Resilience, Effort): Strategies for Closing the Achievement Gaps* (3rd ed, 2007) is a good resource (<http://www.nea.org/tools/16858.htm>). It offers four lenses through which to view diverse learners and four cornerstones of school improvement: 1) school organization; 2) curriculum, instruction and assessment; 3) staff development, and 4) community, family and school engagement.

The central premise of C.A.R.E. is that effective teachers of poor and/or culturally and linguistically diverse students: 1) connect school to their students' everyday lives (Culture); 2) acknowledge unrecognized abilities, integrate multiple abilities, develop higher order thinking skills, and foster autonomy (Ability); 3) support their

students to build both academic and personal resilience (Resilience - the ability to bounce back from adversity); and 4) build on student's experiences, and knowledge to motivate and engage them in their learning (Effort).

There are not sufficient resources for school districts and states that want to address these strategies in a comprehensive way designed to bring about sustainable change to improve the educational system for students. The Race to the Top grant program would be a superb vehicle to ensure their success.

To adjust the current proposal's language under the Reform Criteria for (D)(3), we would recommend that the strategies for turning around schools feature the school transformation model as the primary option or at a minimum, considered prominently and on equal footing with the other options, rather than described as a last resort if it is not possible to: change leadership and staff; convert to charter status; or close the school and move the students. Comprehensive school transformation is superior to the other three options when looking at the chances for sustainable success, and therefore, should be the primary option for local school districts, not a last resort.

The Department should explicitly state that all of these items must be locally negotiated by the collective bargaining representative and that nothing in these requirements shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers. In non-collective bargaining states, these items should be adopted only with the support of the majority educator representative or a vote representing the support of the majority of affected educators.

Address Inequities

To reach a different and significantly better result for the public education system, NEA proposes that the Race to the Top proposal require states, as part of their application for the competitive grant funds, to develop "Adequacy and Equity Plans." The process of developing the plans should bring together stakeholders within the state to devise a plan to meet adequacy and equity goals, and for the first time significant federal resources could serve as a powerful incentive that spurs action on this issue.

Through these plans, states will demonstrate where among districts and schools there are disparities in educational tools and services, opportunities, and resources. The states will outline steps under way or planned to remedy the disparities. This effort will help elevate the commitment to all students and build a shared understanding of what it will take to support them.

These applications should undergo a rigorous, independent peer review by a representative panel of experts including educators to assess the plans for feasibility, legitimacy, and sufficiency. States and their local school districts will be responsible for complying with their own approved plan. The Education Department will include as part of its current monitoring process a review of whether states and local districts are meeting the provisions of the Adequacy and Equity Plan (in addition to the other components of the state plan).

The federal process should be one that sensibly supports adjustments and flexibility as states pursue their goals and work to eliminate disparities, without ever losing sight of the fact that the richest country in the world can afford to provide every student with a quality education. Indeed, it cannot afford to do otherwise.

Achieve Great Public Schools for Every Student

By focusing on these two initiatives—turning around priority schools and addressing inequities—this country will be taking enormous strides toward the goal of great public schools for every student. There will be resources and tools available that are necessary to bring about the type of systemic, sustained transformation necessary to positively alter the lives of affected students. And this country will focus on those factors that will truly help schools become centers of excellence.

Our vision of what great public schools need and should provide acknowledges that the world is changing and public education is changing too. Fulfilling these Great Public Schools (GPS) criteria require not only the continued commitment of all educators, but the concerted efforts of policymakers at all levels of government. These criteria will prepare all students for the future with 21st century skills; create enthusiasm for learning and engaging all students in the classroom; close achievement gaps and increase achievement for all students; and ensure that all educators have the resources and tools they need to get the job done.

The criteria are:

- ✓ Quality programs and services that meet the full range of all children's needs so that they come to school every day ready and able to learn.
- ✓ High expectations and standards with a rigorous and comprehensive curriculum for all students.
- ✓ Quality conditions for teaching and lifelong learning.
- ✓ A qualified, caring, diverse, and stable workforce.
- ✓ Shared responsibility for appropriate school accountability by stakeholders at all levels.
- ✓ Parental, family, and community involvement and engagement.
- ✓ Adequate, equitable, and sustainable funding.

Not every school will need to address all of these criteria, but for those willing to tackle the tough work of systemically transforming public education for the better, they provide a framework for change.

In addition to these overall comments, we have provided detailed comments below on several priority issues.

Thank you in advance for your consideration of NEA's comments and we look forward to discussing this matter with the appropriate staff. I can be reached via telephone at (202) 822-7946 or via email at kbrilliant@nea.org.

Sincerely,

/Kay Brilliant/

Kay Brilliant, Director
Education Policy and Practice Department

DETAILED COMMENTS ON PRIORITY ISSUES

TEACHER QUALITY

(C)(1) Providing alternative pathways for aspiring teachers and principals: The extent to which the State has in place legal, statutory, or regulatory provisions that allow alternative routes to certification (as defined in this notice) for teachers and principals, particularly routes that allow for providers in addition to institutions of higher education; and the extent to which these routes are in use.

What We Can Support

- Every teacher candidate must have preparation in and demonstration of professional and pedagogical skills, knowledge, and ability.

WHY: The highly-skilled teachers required for complex, multi-cultural, fast-paced 21st century classrooms do not enter a classroom as blank slates and then learn on the job. They are well-prepared in their subjects and how students learn them; they are mentored, tutored, observed, critiqued, corrected, and—in some cases—dissuaded from taking on the teaching challenge. Those who will become the outstanding teachers our nation needs *must be prepared* for the profession of teaching.

Three recent, large, well-controlled studies using longitudinal, individual-level student data from New York City and Houston (Boyd, Grossman, Lankford, Loeb & Wyckoff, 2006; Darling-Hammond, Holtzman, Gatlin, & Heilig, 2005; and Kane, Rockoff & Staiger, 2006), found that teachers who enter teaching without full preparation—as temporary or emergency hires or alternative route candidates—are less effective than fully prepared beginning teachers with similar students and leave teaching at much higher rates, depriving their students of the benefits of greater experience as well. An even more recent study from North Carolina found that fully prepared teachers were significantly more effective than those entering through alternative certification “lateral entry” pathways (Clotfelter, Ladd, & Vigdor, 2007).

Sources: Clotfelter, Ladd, and Vigdor. (2007). *Teacher credentials and student achievement in high school: A cross-subject analysis with student fixed effects*. (NBER Working Paper 13617). Cambridge, MA: National Bureau of Economic Research; Clotfelter, Ladd, and Vigdor. (2007). *How and why do teacher credentials matter for student achievement?* (NBER Working Paper 12828). Cambridge, MA: National Bureau of Economic Research. Boyd, Grossman, Lankford, Loeb, and Wyckoff. (2006). *How changes in entry requirements alter the teacher workforce and affect student achievement*. *Education Finance and Policy*, 1(2), 176-216. See also *Teacher Preparation Makes A Difference*, American Association of Colleges for Teacher Education, retrieved July 28, 2009: <http://www.aacte.org/index.php?/Publications/Resources/teacher-preparation-makes-a-difference.html>

- Every teacher candidate must have preparation in and demonstration of subject matter knowledge in the core teaching area(s) in which he or she teaches.

WHY: To teach all students to high standards, teachers need to understand subject matter deeply so they can help students create useful cognitive maps, relate one idea to another, and address misconceptions in content areas. Teachers need to see how ideas connect across fields and to everyday life. This type of deep understanding provides a foundation for pedagogical content knowledge that enables teachers to make ideas accessible to others (Shulman, 1987).

Source: *Teacher's In-Depth Content Knowledge*, Integrating New Technologies into the Methods of Education (intime); retrieved: July 28, 2009; <http://www.intime.uni.edu/model/teacher/teac2summary.html>

- Every candidate must participate in supervised clinical practice via an internship, student teaching, and/or mentoring program.

WHY: Over half (54%) of the alternative teachers in a survey by the National Comprehensive Center for Teacher Quality (Immerwahr, Doble, Johnson, Rochkind & Ott, 2007) said they had too little time working with an actual public school teacher in a classroom environment, compared with only 20% of the traditionally prepared teachers. Whereas 94% of traditionally trained teachers in the survey expressed confidence that their students are learning and responding to their teaching, only 74% of alternative route teachers so responded.

Source: *Teacher Preparation Makes A Difference*, American Association of Colleges for Teacher Education, retrieved July 28, 2009: <http://www.aacte.org/index.php?/Publications/Resources/teacher-preparation-makes-a-difference.html>

- Every candidate must participate in a new teacher induction program that includes mentoring from a qualified teacher in addition to support and/or mentoring from university faculty, school administrators, and new teacher peers.

WHY: Research shows that participation in high-quality induction programs positively impacts teacher retention. A survey of 1700 elementary and secondary Chicago public school teachers indicated that high levels of mentoring and support greatly improved their retention rates.

Source: *Keeping New Teachers: A First Look at Induction in the Chicago Public Schools*; Consortium on Chicago School Research at the University of Chicago, 2007; http://ccsr.uchicago.edu/publications/keeping_new_teachers012407.pdf

In 2007, the New Teacher Center released a report that showed intensive support for beginning teachers improves teacher retention, increases student achievement, and provides a significant return on investment. The report concluded that for every \$1 invested in high-quality teacher induction programs, \$1.66 is returned after five years as a result of reduced teacher turnover costs and increases in teacher effectiveness. The report underscores how intensive, evidence-based induction programs are critical to helping schools retain their most effective educators and develop a highly-effective teaching workforce.

Source: *New Teacher Support Pays Off: A Return on Investment for Educators and Kids*; The New Teacher Center Santa Cruz, 2007; http://newteachercenter.org/pdfs/ntc_capital_hill_briefing.pdf; <http://newteachercenter.org/pdfs/hill-brief-release.pdf>

- A candidate receives a professional license only after demonstrating effective classroom practice as a teacher of record.

WHY: The “teacher of record” is the primary instructor who plans and delivers instruction, assesses student comprehension, and assigns grades and/or reports/certifies student content mastery to administrators, parents, etc. Pre-service teachers who have not demonstrated subject matter knowledge and pedagogical expertise should not be given the responsibilities of the “teacher of record” or allowed to use their first year of teaching for the clinical experience they lacked. The term “teacher of record” carries with it expectations for practice and professional knowledge. Allowing individuals to serve in this role absent the necessary expertise harms students in some of our most challenging, high-poverty communities because this is where educators who lack these prerequisites often end up teaching.

Source: Berry, Raspberry, and Williams (2007). *Recruiting and Retaining Teachers for High-Needs Schools: Insights from NBCT Summits and Other Policy Initiatives*, National Strategy Forum; <http://www.ecs.org/html/offsite.asp?document=http%3A%2F%2Fwww%2Eteachingquality%2Eorg%2Fpdfs%2FNat%5FStrategy%5FForum%2Epdf>

- Consistent standards that govern teacher licensure regardless of the preparation route taken.

WHY: The lack of uniformly applied standards for beginning teachers jeopardizes the quality of instruction available to all students. For all students to have access to well-prepared teachers, states must insist on the same high standards for all preparation programs. The National Council for the Accreditation of Teacher Education (NCATE), which has developed national standards for teacher preparation programs, works with state agencies and educator groups to integrate its standards into state licensure systems. Through its professional accrediting process, NCATE determines which programs meet its rigorous standards for preparing teachers and other school specialists. It has experience working with both comprehensive and alternative preparation programs.

Source: For more information on NCATE unit standards, they can be accessed online: www.ncate.org/institutions/unitstandardsrubrics.asp?ch

What We Cannot Support

- Fast-track alternative licensure programs that do not equip beginning teachers for effective practice.

WHY: The better prepared teachers are, the more effective they are and the longer they're likely to stay in teaching. Three recent, large, well-controlled studies using longitudinal, individual-level student data from New York City, Houston (Boyd, Grossman, Lankford, Loeb & Wyckoff, 2006; Darling-Hammond, Holtzman, Gatlin, & Heilig, 2005; and Kane, Rockoff & Staiger, 2006), found that teachers who enter teaching without full preparation—as temporary or emergency hires or alternative route candidates—are less effective than fully prepared beginning teachers with similar students and leave teaching at much higher rates, depriving their

students of the benefits of greater experience as well. In these studies, more than 85 percent of Teach for America recruits were gone by year four, as were more than half of New York City's Teaching Fellows. Meanwhile nearly two-thirds of traditionally prepared teachers were still in teaching. (Boyd et al., 2006).

A recent large-scale study from North Carolina found that fully-prepared teachers were significantly more effective than those entering through alternative certification "lateral entry" pathways who received little preparation before entering (Clotfelter, Ladd, & Vigdor, 2007). Mathematica's recent study of alternative certification found that traditionally prepared teachers in the same high-need schools were more effective than alternative certification recruits who were still taking coursework while teaching. Furthermore, students taught by recruits from "low-coursework" alternative pathways actually *lost* achievement between fall and spring (Darling-Hammond, 2009).

Teachers who exit five-year teacher education programs that give a bachelor's degree in a content area, a master's in teaching, and a full year of student teaching are extremely well-prepared and have higher-than-average retention rates. Usually, more than 90 percent enter the profession, and of those, about 90 percent remain after several years.

Those who come through the shorter "learn-as-you-teach" routes leave at much higher rates. Federal data from the Baccalaureate and Beyond surveys find that 49 percent of teachers who entered without full preparation had left by year 5, as compared to 14 percent of those who entered fully prepared (Henke, Chen, & Geis). It is actually less expensive to prepare a teacher more thoroughly on the front end than it is to continually replace teachers who come in and out with very little preparation.

Source: Henke, Chen, Geis and Knepper. (2000). *Progress Through the Teacher Pipeline: 1992-93 College Graduates and Elementary/Secondary School Teaching as of 1997*. NCES 2000-152. Washington, DC: National Center for Education Statistics; Darling-Hammond. (2000). *Solving the Dilemmas of Teacher Supply, Demand, and Standards: How We Can Ensure a Competent, Caring, and Qualified Teacher for Every Child*, NY: National Commission on Teaching and America's Future.

The National Comprehensive Center for Teacher Quality compared responses of new teachers in high needs schools—those from three alternative programs (Teach for America, Troops to Teachers, and The New Teacher Project/Baltimore) vs. those who went through traditional teacher preparation programs. While half of the alternate route teachers said they felt prepared for their first year of teaching, about 80 percent of their counterparts felt prepared.

Source: Rochkind, Ott, Immerwahr, Doble, and Johnson. (2007). *Lessons Learned: New Teachers Talk about Their Jobs, Challenges and Long-Range Plans*. Washington, DC: National Comprehensive Center for Teacher Quality and Public Agenda.

- Alternative route licensure programs with minimal, or no, opportunities for student teaching that identify participants as the "teachers of record" before they know how to teach children.

WHY: The term "teacher of record" carries with it expectations for skilled practice and sufficient professional knowledge to engender student learning. Allowing individuals to serve in this role absent the necessary preparation and supervised clinical practice violates the standards for licensure of "do no harm."

Source: *Qualified Teachers for At-Risk Schools: A National Imperative*. National Partnership for Teaching in At-Risk Schools, 2005; <http://www.ecs.org/clearinghouse/57/96/5796.pdf>

What We Propose

- A promising strategy for attracting, developing, and retaining high-quality teaching recruits is the teacher residency model.

WHY: Residency models screen, recruit, and support talented college graduates who seek long-term teaching careers. The teacher residents participate in a year-long, paid residency during which they study under a master teacher, take coursework at a partner university, and ultimately teach in the master teacher's class. There is ongoing communication between the master teacher and the residency sponsor, with the candidate's field experience and coursework leading to state licensure and a master's degree. Established programs currently exist in Denver, Boston, and Chicago.

Source: Darling-Hammond, Linda, "A Future Worthy of Teaching For America," *Phi Delta Kappan*, June 2008, 730-736.

(C)(2) Differentiating teacher and principal effectiveness based on student growth measures....evaluating teachers based on these data.....making compensation and career mobility decisions based on these data.....

What We Can Support

- Annual, standards-based evaluations for teachers that incorporate multiple measures of teacher practices and teacher performance.
- Assessing student growth, looking at a variety of ways to measure growth, and using this information to inform and improve teaching practice.

WHY: The central principle of any teacher assessment system must be to improve the learning (i.e. knowledge, skills, dispositions and classroom practice) of the professional educator with the ultimate goal of enhancing student learning. Today's policy debates about teacher assessment and evaluation and their narrow definitions of teacher effectiveness have been mired in a rewards-and-punishment framework that do little to identify or promote quality teaching. Instead, these short-sighted approaches to evaluation encourage overly complex and costly systems that rely on narrow criteria for judging teachers' effectiveness and unproven methodologies.

Multiple measures of teacher effectiveness—classroom observations, portfolios, analyses of student work, documentation of teacher leadership, standards-based evaluations of practice, analyses of teacher assignments (including the student populations an educator teaches) and teacher assessments—can provide valid measures of teacher effectiveness that go beyond imperfect statistical analyses that cannot explain what teachers are actually doing to impact student achievement.

Sources: *The Widget Effect: Our National Failure to Acknowledge and Act on Differences in Teacher Effectiveness*, <http://widgeteffect.org/downloads/TheWidgetEffect.pdf>; Draft report of the NEA Professional

Standards and Practice Committee, 2009 (unpublished); *Approaches to Evaluating Teacher Effectiveness: A Research Synthesis*, <http://www.tqsource.org/publications/EvaluatingTeachEffectiveness.pdf>; *Measuring Teacher Effectiveness* (National Comprehensive Center on Teacher Quality webcast seminar), <http://www.tqsource.org/webcasts/teacherEffectivenessWorkshp/index.php>

What We Cannot Support

- Assessment of teacher performance on the basis of student test scores, whether on standardized tests alone, or as part of a value-added assessment system *and*, the use of these narrow performance measures for high-stakes decisions (evaluations, compensation, promotions, transfers, tenure, dismissals).
- Using assessments that are not technically valid for the purpose for which they are being used; current state tests are not designed, and consequently not valid, for the purpose of determining school success much less teacher success.

WHY: Reviews of research on value-added methodologies for estimating teacher “effects” based on student test scores have concluded that these measures are too unstable and too vulnerable to many sources of error to be used for teacher evaluation. To that end, these measures also are inappropriate to be used to evaluate teacher preparation programs. For example, a major report by the RAND Corporation concluded that “the research base is currently insufficient to support the use of VAM (value-added methods) for high-stakes decisions about individual teachers or schools.” Similarly, summarizing the results of many studies, Henry Braun of the Educational Testing Service concluded:

VAM results should not serve as the sole or principal basis for making consequential decisions about teachers. There are many pitfalls to making causal attributions of teacher effectiveness on the basis of the kinds of data available from typical school districts. We still lack sufficient understanding of how seriously the different technical problems threaten the validity of such interpretations.

For any high stakes purpose associated with personnel decision making or compensation, **multiple measures** should be used in combination, as all measures give a partial picture of teacher performance. These measures should include evidence of 1) teacher **practices**, 2) teacher **performance**, and 3) teacher **contributions to student learning**. Specific characteristics of students as well as the learning environment should be taken into account in making judgments about teachers’ effectiveness. Notably, countries that are outpacing us in education (i.e., New Zealand and Finland) do not use alternative compensation models like pay for performance.

- Value-added assessment models as the basis for high-stakes, employment-related decisions.

WHY: Value-added models lack consensus in the research community with respect to their accuracy and usefulness; teacher input is an important influence on student achievement but it is not the only influence; other issues impact teacher effectiveness that are not related to teacher practices/behaviors; value-added models provide no insight into why some teachers are more effective than others and are therefore not instructive about how to improve student learning.

Sources: Braun (2005) *Using student progress to evaluate teachers: A primer on value-added models*, Princeton, NJ: Educational Testing Service; McCaffrey, Koretz, Lockwood, and Hamilton (2005). *Evaluating Value-Added*

Models for Teacher Accountability. Santa Monica: RAND Corporation; *What You Should Know about Value-Added Assessment*. NEA Collective Bargaining and Member Advocacy Department. October 2007; Darling-Hammond. (2008) *Investing in Teacher Quality: What the Federal Government Could (and Should Do)*. Testimony before U.S. Senate.

What We Propose

- Annual, standards-based teacher evaluations that include evaluation of teaching practices (based on validated benchmarks) conducted through classroom observations by experts, complemented by a systematic collection of evidence about the teacher’s planning, instruction, and assessment practices, work with parents and students, and contributions to the school (teacher documentation, student work samples, and classroom, district or state assessments).

WHY: A comprehensive and informative collection of evidence about teacher performance can focus educators’ attention on those teaching practices and skills that are associated with improvements in students’ school performance and learning.

Source: *Measuring and Recognizing Teacher Effectiveness*. Linda Darling-Hammond. Unpublished paper. 2008; *Approaches to Evaluating Teacher Effectiveness: A Research Synthesis*.
www.tgsources.org/publications/EvaluatingTeachEffectiveness.pdf

- If alternative compensation systems are going to be considered at the state level as part of a Race to the Top application, the Administration should consider applications that restrict such alternative systems for only the school districts that will receive Race to the Top grant funds rather than the entire state.
- For (iii) related to tenure and dismissal based on rigorous and transparent procedures, the Race to the Top grant application should explicitly require that these procedures include due process rights, do not violate academic freedom, do not violate existing state statutes concerning tenure and dismissal, and are in accordance with collective bargaining agreements or involve employee representatives where there is no collective bargaining agreement.

(C)(3) Ensuring equitable distribution of effective teachers and principals: The extent to which the State has a high-quality plan and ambitious yet achievable annual targets to increase the number and percentage of highly effective teachers and principals (as defined in this notice) in high-poverty schools (as defined by this notice), and to increase the number and percentage of effective teachers (as defined in this notice) teaching hard-to-staff subjects including mathematics, science, special education, English language proficiency, and other hard-to-staff subjects identified by the State of LEA. Plans may include, but are not limited to, the implementation of incentives and strategies in areas such as recruitment, compensation, career development, and human resources practices and processes.

What We Can Support

- “Grow your own” approaches to staffing high-poverty schools with effective teachers and principals.

WHY: Teachers value working conditions over relocation bonuses. Teachers who have already chosen to teach in high-poverty schools are more inclined to stay in these schools if the working conditions, leadership, and their own effectiveness improve. Examples could include collegial staff with a shared teaching philosophy, adequate resources necessary to teach, a supportive and active parent community, support from school administrators, focus on student motivation and student discipline issues, and improving teacher influence over decisionmaking.

Source: *Recruiting and Retaining Quality Teachers for High-Needs Schools: Insights from NBCT Summits & Other Policy Initiatives* http://www.teachingquality.org/pdfs/Nat_Strategy_Forum.pdf

- Major federal investments to dramatically increasing the number of National Board Certified Teachers (NBCTs) in high-poverty schools by encouraging *Take One!* and full certification candidates from within the ranks of the existing faculty while supporting these candidates through the process.

WHY: Creating more home-grown NBCTs will reduce teacher turnover because NBCTs are more likely to stay in the classroom than other teachers.

Teachers who already teach in high-poverty schools have specific skills for working with these students, while research shows that teachers who participate in the National Board process—whether they achieve certification or not—strengthen their practice.

Students of National Board Certified Teachers show higher gains on achievement tests than the students of other teachers.

NBCTs are effective teachers of minority students.

Sources: National Research Council. (2008). *Assessing Accomplished Teaching: Advanced-Level Certification Programs* http://www.nap.edu/catalog.php?record_id=12224; Lustick and Sykes. (2006), <http://epaa.asu.edu/epaa/v14n5/>; National Research Council. (2008). *Assessing Accomplished Teaching: Advanced-Level Certification Programs* http://www.nap.edu/catalog.php?record_id=12224; Goldhaber and Anthony. (2004). Can Teacher Quality be Effectively Assessed? <http://www.urban.org/Publications/410958.html>

- Providing incentives and supports for teachers to enhance their practice and earn salary recognition by pursuing National Board Certification.

WHY: National Board Certification is effective professional development for teachers. Teachers can complete the entire National Board process, or they have the option of completing one part of the National Board process—*Take One!*—which is well suited for on-going professional development in professional learning communities and as part of a school improvement plan.

Professional development of this type utilizes in-house expertise, provides leadership opportunities to accomplished teachers, support to novice teachers, and encourages collaborative leadership between teachers and administrators. Together these characteristics help improve teacher effectiveness and thereby improve working conditions.

National Board Certification is more effective and cost-effective than other professional development methods.

Teachers who receive trained support while going through the National Board process are more likely to finish the process and to achieve NBC, so providing support to teachers in high-poverty schools is important.

Sources: *Recruiting and Retaining Quality Teachers for High-Needs Schools: Insights from NBCT Summits & Other Policy Initiatives* http://www.teachingquality.org/pdfs/Nat_Strategy_Forum.pdf); Cohen, C. (2005). *National Board Certification as Professional Development: Pathway to Success. The Finance Project.* http://www.nbpts.org/resources/research/browse_studies?ID=20); Freund, M. (2005) *A Study of the Role of Mentoring in Achieving Certification by the National Board for Professional Teaching Standards.* George Washington University. <http://www.nd.gov/espb/profdev/nationalresearch.html>)

What We Cannot Support

- Incentives that provide salary compensation for teachers based on the subject they teach; however, we do support other incentives for such teachers (i.e., loan forgiveness programs).

WHY: NEA's opposition to salary incentives for hard-to-staff subjects is based on the likelihood of discrimination re-entering the pay system and the negative impact on informal mentoring, team teaching, and other innovative techniques that improve the level of instruction throughout a school. Ultimately, teachers should be compensated for demonstrating excellence in teaching via objective measures. Simply being a teacher of a hard-to-staff subject does not equate with effective instruction, and therefore, should not be rewarded in-and-of-itself through a salary differential.

- Involuntary transfers of faculty and principals to high-poverty schools, or arbitrary abolition of seniority in contracts.

WHY: Either of these options would be offensive to professionals working in the education system, all of whom are working adults who chose to become educators. Effort would be better spent focusing on strategies to help teachers and principals in struggling schools to improve instruction and leadership in the school. Additionally, these measures have been tried in the past and have not proven successful incentives to attract highly effective teachers and principals to high-poverty schools. According to the NBCTs who participated in the National Board Summits sponsored by NEA in 2006-07, good working conditions and strong leadership are what attract teachers to schools. The NBCTs would like to see an array of incentives and supports offered to teachers working at these schools rather than a one-size fits all incentive; teachers at various stages of their careers have different needs.

Source: *Recruiting and Retaining Quality Teachers for High-Needs Schools: Insights from NBCT Summits & Other Policy Initiatives* http://www.teachingquality.org/pdfs/Nat_Strategy_Forum.pdf

(C)(5) The extent to which the State, in collaboration with its participating LEAs, has a high-quality plan to use rapid-time (as defined in this notice) student data to inform and guide the support provided to teachers and principals (e.g., professional development, time for common planning and collaboration) in order to improve the overall effectiveness of instruction; and to continuously measure and improve both the effectiveness and efficiency of those supports.

What We Can Support

- A professional learning environment that supports and sustains high quality professional development designed in collaboration with teachers to help them improve their practice;
- Embedded professional development; and
- Induction programs for beginning teachers.

WHY: An environment for learning does not occur in a vacuum nor does it occur spontaneously. Although the principal plays a major role in establishing and sustaining an effective learning environment, it is important that all educators are involved in the establishment and sustaining of this environment because it is their own practice that they seek to improve.

- Professional development using a constructivist perspective that includes activities such as action research, conversations with peers about beliefs and assumptions that guide instruction, and reflective practices. Constructivist staff development supports job-embedded p.d. because it occurs during the daily activities of educators and is found to be very effective.
- Novice teachers require a strong induction program or at the very least a culture of support and assistance from master/accomplished teachers to help them develop the pedagogical (teaching) skills needed to construct high-quality assessment instruments, and, the skills needed to effectively diagnose students' responses.

Source: *Job-Embedded Professional Development*. Holly Galloway.
<http://www.txstate.edu/edphd/PDF/jobpd.pdf>

What We Cannot Support

- Lack of adequate resources to design, implement, and fund the professional development required to improve teaching and learning.
- Professional development that is “done to” teachers using a “one-size-fits-all” concept.

WHY: Most US school districts do not have the resources to design, implement, and fund professional development that is necessary to improve teaching and learning. According to Ingersoll (2000), less than 1-3% of education budgets are spent on professional development. It is important to note that was before the economic crisis hit the nation. We need to ensure that professional development is seen as a critical component of strategies to strengthen the teaching and learning environment and enhance student learning.

Most professional development is disjointed and uses a “one-shot” approach, with limited impact on teachers' practice and student learning. And too often, professional development offerings do not address teachers' needs. With little consideration given to differentiating professional development, novice teachers and experienced teachers often attend the same sessions that may not help either to improve their practice. Ingersoll (2000) reported that novice teachers often requested professional development that was content-focused while experienced practitioners sought out professional development that was more focus on the “how to” of engaging learners or the “how to” use of different instructional strategies. Although studies have found

teacher experience has an effect on student learning, (novice teachers—3 years or less—on average are less effective than more experienced teachers), both can become highly effective in environments that emphasize continual improvement and collaborative learning communities.

Source: Murnane & Phillips, 1981; Klitgaard & Hall, 1974, and Rosenholtz, 1984 - cited in Darling-Hammond, 2000 <http://epaa.asu.edu/epaa/v8n1/>

EXPANDED LEARNING TIME

Proposed Priority 5—Invitational Priority—School-Level Conditions for Reform and Innovation: (ii) Implementing new structures and formats for the school day or year that expand learning time.

What We Can Support

- Expanded quality learning time that provides more time for students to learn and engage in productive and engaging activity.

WHY: The Secretary’s interest in promoting the use of new structures and formats for the school day or year that expand learning time, including “more time for students to learn and for teachers to collaborate, more time for enrichment activities, and on-going mechanisms for family and community engagement” seems desirable for low-performing schools or struggling students in schools that are not low-performing.

What We Propose

- Adjustments to work schedules should be done with educators, and as part of the bargaining process where collective bargaining agreements exist.

WHY: Educators should not unilaterally be forced to work longer hours for the same compensation; adjustments should be determined locally between the district and educators, and bargained where collective bargaining agreements exist.

COMPREHENSIVE SERVICES

Proposed Priority 5—Invitational Priority—School-Level Conditions for Reform and Innovation: (v) providing comprehensive services to high-need students (e.g., through local partnerships, internal staffing, and contracts with outside providers).

What We Can Support

- The interest in promoting the use of comprehensive services is also welcome, for low-performing schools in particular and to assist struggling students in schools that are not low-performing.

CHARTERS

(D)(2) Increasing the supply of high-quality charter schools.

What We Can Support

- Charter schools can provide a valuable means to test innovative educational practices not being tried in our regular public school systems. Practices that can appropriately be adopted or adapted, are found through evaluation to benefit students, and which are sustainable and equitable, should be expanded to benefit many more public school students.

What We Cannot Support

- The Department's stance that any and all restrictions on the number of charter schools that may operate in a state at a given time are arbitrary and contrary to the public interest.

WHY: This stance is questionable, at best, in light of the research findings. Small-to-medium sized states, in particular, viewing the evidence from the Stanford/CREDO study and deciding that they do not believe it is wise to permit the operation at one time of, say, the numbers of charter schools in operation in the larger, poor-performing states from the CREDO findings cited above, are hardly acting in a way that is clearly unreasonable or arbitrary, let alone unjustified. Indeed, to penalize the application of any state that maintains a cap, regardless of what level the cap is set at, the state's reason for setting a cap at that level, or any other contextual consideration, seems arbitrary.

Source: CREDO (2009). *Multiple choice: Charter school performance in 16 states*. Stanford, CA: CREDO, Stanford University, which found the following:

The list of six states which demonstrated lower average charter school student growth than their peers in traditional schools includes the states with the second, third, fourth, fifth, and eighth largest number of charter schools, according to the most recent data on the US Department of Education's website. These are Arizona, Florida, Texas, Ohio, and Minnesota, respectively.

The state with the largest number of charter schools, California, had mixed results.

On the other hand, the study finds the best charter school student growth in states with relatively few charter schools, where effective oversight is more possible. These are, respectively, Arkansas, Colorado (Denver), Illinois (Chicago), Louisiana, and Missouri.

What We Would Propose

- States that have charter school caps in place can be asked to justify their decision and have their response evaluated in a way that does not simply presuppose the irrelevance of any evidence or reasons that might be offered for maintaining the cap.

- Add (D)(2)(v) as follows: The extent to which the state can demonstrate that it has erected no barriers to the unionization of charter school employees that go beyond provisions in their current public education labor relations policies.

(D)(2)(ii) Increasing the supply of high-quality charter schools: extent to which State has guidelines for authorizers.

What We Can Support

- Accountability by states to ensure rigorous, ongoing monitoring and oversight by authorizers

What We Would Propose

- While state policy guidance for authorizers is essential, states should also be asked to provide evidence of their own efforts to formally evaluate, monitor, assist, and hold accountable their charter authorizers.
- As either a State Reform Conditions Criteria or a Reform Plan Criteria, states should be required to commit to establish, within one year of receipt of funds, an ongoing charter authorizer review and oversight process and publish an annual report setting forth:
 - a. Charter school authorizer practices and findings it considers to have important effects on charter school quality;
 - b. Steps the responsible state entity is taking to ensure that charter schools, as part of the public school system, are complying with the state's open meeting laws.
 - c. Steps the responsible state entity is taking and will take to enhance the rigor and effectiveness of those processes in promoting improved charter school quality; and
 - d. Any recommended policy changes to the state's charter school laws and regulations which it believes would improve the quality of charter schools in the state.

WHY: The National Alliance for Public Charter Schools, the National Association of Charter School Authorizers, and various researchers have identified irregular authorizer quality as a concern in need of attention

(D)(2)(iii) Increasing the supply of high-quality charter schools: funding equity for charter schools.

What We Would Propose

- In evaluating funding equity, the characteristics of students in the school should be taken into consideration. For example, there is recent evidence suggesting that a significantly smaller proportion of charter school students are students with disabilities, compared to the overall public school population. It is well established that educating students with disabilities is more costly than educating students who do not have disabilities.

Source: Proportion: The Nation's Report Card: America's Charter Schools (NCES 2005-456), National Assessment of Educational Progress, U.S. Department of Education Institute of Education Sciences, December, 2004, p. 2. (showing 8 percent of grade 4 math NAEP test takers in charter schools were students with disabilities, versus 11 percent in other public schools, a statistically significant difference); Miron, Cullen, Applegate, Farrell (March 2007). *Evaluation of the Delaware Charter School Reform: Final Report*, The Evaluation Center, Western

Michigan University, Table 3:2, page 38; Miron (February 2005). *Evaluating the Performance of Charter Schools in Connecticut*, The Evaluation Center, Western Michigan University, Appendix C; Miron, Nelson and Risley, with Sullins (October 2002). *Strengthening Pennsylvania's Charter School Reform: Year 5 Report*, The Evaluation Center, Western Michigan University, Figure 10:4, Page 125.

Cost: Parrish, Harr, Wolman, Anthony, Merickel, and Ersu (March 2004). *State Special Education Finance Systems, 1999-2000, Part II: Special Education Revenues and Expenditures*, Center for Special Education Finance, American Institutes for Research, p. 24.

(D)(3)(ii) Turning around struggling schools:supporting its LEAs in turning around these schools by ..contracting with an education management organization...

What We Would Propose

- We would recommend addressing the following questions: Must the EMO have prior experience in managing a school? Must it be able to demonstrate success in doing so—or, at least, should there be a preference for EMOs which can do so? If a major theme of this program is to devote resources to places where there is the most reason to think they will do some good for students, aren't these provisions the Department should consider?

ADDITIONS to (D)(2), (D)(3): Charter school provisions.

What We Would Propose

The following, which might be added to either the State Reform Conditions Criteria or the State Reform Plan Criteria, would enhance the federal charter school accountability requirements:

- States should be required to commit to posting on their websites, separate charter and regular public school categories showing aggregated data on the numbers of schools at various stages of the ESEA school improvement process.
- States should be required to ensure that financial audits of their charter schools, adjusted to take into account relevant differences from other public schools, take place with comparable frequency and have results made available in ways comparable to audits of non-charter public schools.
- States should be required to develop and enforce clear guidelines to ensure arm's length distance between EMOs and CMOs and their personnel, and oversight agencies (charter school governing boards and authorizers) which need to be independent and free of potential conflicts of interest.

Query

Increasing the supply of "high-quality" charter schools is a proposed selection criteria. How does the Department envision measuring this? The Administration may believe that certain "brands" of charter schools are high quality and may want to help them expand. But assessment of how well the program is meeting its goals is required for such a substantial investment of taxpayer resources. So how will progress towards meeting this goal be assessed?

APPENDIX. Minimum Proposed Evidence column for proposed selection criteria (D)(2)(ii)(increasing the supply of high-quality charter schools).

Although states are not prohibited from submitting additional evidence they consider relevant, one of the two examples of evidence that is identified here is “the charter schools authorizers’ historic performance on accountability, as evidenced by the number of charter schools that have been closed or not renewed annually for each of the last five years, and the reasons for each of these closures.” While a willingness to close poor charter schools can be important evidence of a vigilant approach to accountability, this is not necessarily the case. It may be that poor screening on the front end of the approval process is a, or the, major factor leading to the need to close more poorly performing charter schools which, with effective screening, might never have been opened in the first place. Rewarding states citing higher numbers of closures risks rewarding states that have done a poor job of screening their charter applicants.

What We Propose

- Ask states for a commitment to a) identify assessable standards for what constitutes quality review by an authorizer of an initial charter proposal and b) devise a valid and reliable system for assessing the quality of review by its authorizers of initial charter applications, using these standards. Evidence of greater numbers of charter closures, without consideration of the actual quality of the initial charter review process used by authorizers, would not be rewarded for any federal accountability or funding eligibility purposes unless and until states have such a system in place.
- Alternatively, omit mention of this type of evidence from the final notice, because, without a way of determining what greater numbers of closures means or implies, this is not appropriate evidence to use in rewarding or penalizing states.

Appendix. Proposed Performance Measures for proposed selection criteria (D)(3) (turning around struggling schools).

The proposed performance measure would reward states with higher absolute “numbers of schools from among the lowest performing five percent of schools (or five schools, whichever is larger) in improvement, corrective action, or restructuring in the State—for which one of the three school transformation strategies described in the criterion will be implemented each year.”

What We Propose

- Revise language to indicate that states should be rewarded based on the **percentage**—instead of the absolute number—of such schools that will be implementing one of the transformation strategies?

WHY: Consider two states in a hypothetical situation. California has 750 such schools. 50 of them are implementing one of the transformation strategies. New Mexico has 25 such schools. All 25 are implementing one of the strategies. Which state should be rewarded? California has a higher absolute number of schools implementing one of the strategies. But it is making provision for fewer than 10% of its schools desperately in need of turnaround, whereas New Mexico has made provision for 100% of its struggling schools to try a transformation strategy.

DATA SYSTEMS

(II)(A) Eligibility Requirements: "...a state must not have any legal, statutory, or regulatory barriers to linking student achievement or student growth data to teachers for the purpose of teacher and principal evaluation."

What We Propose

- Revise language to read: "... a state must not have any legal, statutory, or regulatory barriers to linking student achievement or student growth data to teachers for the purpose of **planning individualized activities designed to strengthen teachers' instructional skills and principals' instructional leadership.**"

Why: If the intent is to use the data to improve instruction for the benefit of students and to help educators' strengthen their practice, this language addresses that issue.

Note: See next section for What We Can Support and What We Cannot Support

(B)(1) Fully implementing a statewide longitudinal data system.

What We Can Support

- Robust data systems, with data used to improve instruction and improve instructional practice.

What We Cannot Support

- Mandatory state-level linkages of student data to educators for purposes of educators' evaluation and/or compensation decisions.
- Ignoring states' rights to enact their own laws and constitutions.
- Taking occasion to criticize states' comprehensive data system without knowing/describing all of the relevant attributes of said data system. For example, the Administration has criticized California's data system because there is a state law prohibiting the state-level data system from linking students' test scores directly to educators for purposes of pay, promotion, sanction, or personnel evaluation. The Administration conveniently failed to mention that California mandates student data, including scores on criterion referenced tests, to be used in local districts to improve student learning, help guide instruction, identify professional development needs, and evaluate teachers. If California stakeholders believe those decisions are best made at the local level, then why would the federal government attempt to require the creation of another costly statewide bureaucracy?

What We Propose

- Ensuring that state's data systems are robust and include, in addition to valid and reliable local and state assessments, relevant indicators such as attendance, student mobility (when they enter and

exit a particular school and/or district), teacher turnover, principal turnover, commitment to current educational program (i.e., has curriculum changed); data should be disaggregated

Given the state of the field, the strong cautions of researchers, and the promises the Administration made, it would be reasonable for the Race to the Top grant program to require states to have specific safeguards in their laws that:

- prevent the use of standardized tests as sole or primary tools for teacher evaluation (Braun; RAND studies referenced above);
- require the inclusion of data on student attendance (a stronger predictor of student outcomes than the teacher in many cases) and student characteristics (Including ELL and special education status that must be taken into account to know if the scores are capturing what students know).
- require that such measures be used only with vertically scaled tests that are appropriate for examining value-added (which only a few states have); and alternatively, how non-vertically scaled tests should and should not be used
- require that such measures be used in conjunction with evidence about teacher practice and performance in the classroom
- require that such measures be used in conjunction with other evidence about student learning from classroom or school data

FUNDING

II. Requirements; B.(e)(2) Proposed Application Requirements.

What We Can Support

- Emphasis on high-need LEAs is welcome along with the requirement of allocating half of the money through the Title I formula which is already required under ARRA.

II. Requirements; D.(a) Other Program Requirements.

What We Can Support

- There definitely should be a national evaluation of each state that is awarded funds

Note: In response to the inquiry as to whether a State should, instead of or in addition to a national evaluation, be required to conduct its own evaluation of its program activities using funds under this program, we suggest that a State evaluating itself, *with no nationally sponsored independent evaluation*, may not be independent enough to be useful. In conjunction with the national evaluation, States should be permitted and perhaps even encouraged to use program funds to do self-evaluations.

III. Selection Criteria; E.(2) Overall Selection Criteria.

What We Can Support

- The language uses “percentage” of the total revenues available to the state

WHY: This maintenance of effort (MOE) language should protect those states experiencing deteriorating economic conditions (in contrast to those states that chose to “game” the state education budget once ARRA funds became available and, rightfully, should be penalized in the selection process). The notice’s definition of total revenues available to the state is consistent with the guidance and application for the SFSF. States can use either projected or actual revenues or appropriations.

What We Would Propose

- Consideration of whether the state is meeting its obligation to fund adequately and to allocate education resources equitably.