

October 17, 2011

Sen. Tom Harkin  
Chairman  
Senate Committee on Health Education  
Labor and Pensions  
428 Dirksen Senate Office Building  
Washington, DC 20510

Sen. Michael Enzi  
Ranking Member  
Senate Committee on Health Education  
Labor and Pensions  
428 Dirksen Senate Office Building  
Washington, DC 20510

**RE: TEACHER QUALITY AND EQUITY PROVISIONS IN THE REAUTHORIZATION OF THE  
ELEMENTARY AND SECONDARY EDUCATION ACT**

Dear Senators Harkin and Enzi:

Six months ago, we wrote to you as a coalition of civil rights, disability rights, parent, education, and grassroots community organizations to share our recommendations for ensuring all children have access to teachers who are *both* fully-prepared *and* effective. Today that Coalition includes 81 organizations which believe that ensuring full and equal access to qualified and effective teachers should be a cornerstone of the ESEA. We firmly believe our country's success in having all children graduate college and career ready depends on our ability to ensure all students have access to teachers who are fully-prepared to teach on their first day in the classroom and who, once there, prove themselves effective.

We applaud you for taking the courageous step of releasing a bipartisan bill and attempting to fix some of the many flaws in NCLB. Of particular note, we support your proposal's provisions to close the "comparability loophole" and thereby require true comparability in expenditures (including the most significant expenditure, actual teacher salaries) between Title I and non-Title I schools. However, we write to express our serious concern that the ESEA Reauthorization proposal, including the manager's amendment released today, undermines the critical goal of providing all children with equal access to competent teachers.

**1. THE ESEA PROPOSAL SEVERELY WEAKENS THE "HIGHLY QUALIFIED TEACHER" STANDARD.**

Although the proposal appears to retain NCLB's "highly qualified teacher" requirements, the new definition of "highly qualified" weakens the standard so much as to make the phrase virtually meaningless and its protections for at-risk students nearly nonexistent. In this proposal, teachers are defined as "highly qualified" if they have just enrolled in an alternative certification program, even if they have completed little or no training and have met no standard of competence.

This proposal weakens even further the low "highly qualified" standard reflected in the temporary Continuing Resolution (CR) amendment enacted last December—which our coalition vigorously opposed because of the harmful risks to which it exposes our most vulnerable students. That resolution required all states to label teachers-in-training as "highly qualified" merely because they have enrolled in an alternative certification program. This new proposal does further damage by eliminating the CR's supervision and professional development requirements for these teachers-in-training, allowing them to learn to teach on vulnerable children without training, supervision, or support.

These untrained, novice teachers are disproportionately concentrated in schools and classrooms serving low-income students, students of color, English language learners, and students with disabilities. As discussed below, because the proposal also weakens NCLB's equitable distribution provisions, it will result in greater inequities in access to fully-prepared and effective teachers. Moreover, as to states and

districts that adopt new evaluation systems in order to obtain TIF grants, the proposal discontinues attention to teacher qualifications for teachers who gain as little as one year of experience, allowing many to continue teaching without ever becoming fully prepared and certified. Overall, one of the greatest promises under No Child Left Behind—that all students are guaranteed well-qualified teachers in the core subjects—will essentially have been abandoned for those students most in need.

## **2. THE PROPOSAL WILL PERMIT THE INEQUITABLE DISTRIBUTION OF TEACHERS.**

Where NCLB prohibited states and districts from disproportionately concentrating teachers who are unqualified, inexperienced, or teaching out-of-field in schools and classrooms serving poor and minority students (Sec. 1111(b)(8)(C)), this proposal would free states from having to equitably distribute any three of the following 5 categories of teachers: non-highly qualified teachers; inexperienced teachers, teachers still in training programs; out-of-field teachers; and teachers not highly rated.

In states that have implemented teacher and principal evaluation systems, the bill and manager's amendment eliminate entirely the requirement that students whose teachers are not "new" be taught by highly qualified teachers. Instead of a focus on initial qualifications, your proposal would address teacher competence after a teacher's initial year or so by focusing on ensuring teacher effectiveness. But even if these new evaluation systems are accurate and meaningful—something hotly debated—new teachers will not be covered by them, as most experts agree that teachers' effectiveness cannot be judged until there are at least three years of classroom data to examine.

Thus, your proposal allows underprepared teachers to teach for years before their effectiveness is ever measured (and, when measured, proposes states do so based on uncertain evaluation standards). Further, nothing in the bill prohibits districts from assigning teachers rated effective in their authorized subject (*e.g.*, physical education) to teach another subject for which they are unqualified and unrated (*e.g.*, algebra).

Allowing unqualified or out-of-field teachers to teach our most vulnerable children will not advance our nation's teaching quality. The kinds of programs that would do so: incentives to improve working conditions, improve and equalize salaries, service scholarships to attract career teachers to high-need fields and locations, and supports for high-quality teacher education programs for high-need communities are largely absent from the bill.

## **3. THE PROPOSAL ELIMINATES PUBLIC DISCLOSURE OF DATA ON TEACHER QUALITY AND EQUITY.**

Among NCLB's most laudable provisions were those requiring public disclosure of important data on student achievement and access to highly qualified teachers. Transparency of this information was intended to drive accountability, so that parents and the public could hold their districts and schools accountable for providing students with the resources they needed to learn. We are therefore extremely troubled that your proposal entirely eliminates the requirement that states, districts and schools publicly disclose in their annual report cards information on the qualifications and distribution of teachers. Nor is the Secretary any longer required to report such important data nationally.

While we are pleased that the proposal maintains the provisions regarding parents' -right-to-know the qualifications of their child's teachers, including the requirement to notify parents when their child has been taught for 4 or more weeks by a teacher who is not highly qualified, we note that this provision, too, will be seriously undermined by the watered down definition of "highly qualified" in your proposal. And while districts are required to report *to their states* on the distribution of their teachers' preparation and

experience and, where applicable, their effectiveness rating, nowhere is this important information required to be disclosed publicly at the school, district, or even state level.

We thank you for your leadership in crafting this ESEA Reauthorization proposal and for restarting this important public debate. We hope that, through the upcoming amendment process, the proposal can be strengthened to ensure that all students will have full and equal access to teachers who are both fully-prepared when they start teaching and who prove themselves effective over time, based on valid measures of teacher competence. We understand that Senator Sanders intends to introduce amendments to address our concerns. We urge you to support them.

Sincerely,

Members of the National Coalition on Teaching Quality (list attached)

cc: Members, Senate Committee on Health Education Labor and Pensions

# National Coalition on Teaching Quality

## National Organizations

Alliance for Multilingual Multicultural Education  
American Council on Education  
American Association of Colleges for Teacher Education  
American Association of People with Disabilities  
American Association of State Colleges and Universities  
American Council for School Social Work  
Association of University Centers on Disabilities  
ASPIRA Association  
Autistic Self Advocacy Network  
Autism National Committee  
Center for Teaching Quality  
Citizens for Effective Schools  
Communities for Excellent Public Schools  
Council for Exceptional Children  
Council of Parent Attorneys and Advocates  
Disability Policy Collaboration, A Partnership of The Arc and UCP  
Disability Rights Education and Defense Fund Inc  
Easter Seals  
FairTest, The National Center for Fair & Open Testing  
First Focus Campaign for Children  
Gamaliel Foundation  
Helen Keller National Center  
Higher Education Consortium for Special Education  
Knowledge Alliance  
Latino Elected and Appointed Officials National Taskforce on Education  
Lawyers' Committee for Civil Rights Under Law  
Learning Disabilities Association of America  
Movement Strategy Center  
NAACP  
NAACP Legal Defense and Educational Fund, Inc.  
National Alliance of Black School Educators  
National Association of School Psychologists  
National Association of State Directors of Special Education  
National Center for Learning Disabilities  
National Consortium on Deaf-Blindness  
National Council for Educating Black Children  
National Council of Teachers of English  
National Council of Teachers of Mathematics  
National Disability Rights Network  
National Down Syndrome Congress  
National Down Syndrome Society  
National Education Association  
National Indian Education Association  
National Latino Education Research & Policy Project  
National PTA  
National Urban League  
League of United Latin American Citizens  
Parents Across America  
Public Advocates Inc.  
Public Education Network  
Rural School and Community Trust  
School Social Work Association of America  
South East Asia Resource Asian Center  
TASH - Equity, Opportunity, and Inclusion for People with Disabilities  
Teacher Education Division of the Council for Exceptional Children  
United Church of Christ Justice & Witness Ministries

## State and Local Organizations

Action Now – Illinois  
Action Now– North Carolina  
ACTION United  
Alliance of Californians for Community Empowerment (ACCE)  
Arkansas Community Organizations  
Bay Area Parent Leadership Action Network  
Brighton Park Neighborhood Council – Chicago  
California Association for Bilingual Education  
Californians for Justice  
Californians Together  
California Latino School Boards Association  
Campaign for Quality Education  
Center for the Future of Teaching and Learning  
Coalition for Educational Justice  
Delawareans for Social and Economic Justice  
Education Law Center  
Grow Your Own Illinois  
Inner City Struggle  
Justice Matters  
Legal Advocates for Children and Youth  
Parent-U-Turn  
Parents for Unity  
RYSE Center  
Texas Association of Chicanos in Higher Education  
Youth On Board – Somerville, MA  
Youth Together