



K – 20 Competitiveness Subcommittee

Wednesday, January 26, 2011

2:00 PM – 5:00 PM

17 HOB – Morris Hall

Action Packet

**Dean Cannon
Speaker**

**Erik Fresen
Chair**

COMMITTEE MEETING REPORT
K-20 Competitiveness Subcommittee

1/26/2011 2:00:00PM

Location: Morris Hall (17 HOB)

Summary: No Bills Considered

Committee meeting was reported out: Wednesday, January 26, 2011 6:06:15PM

COMMITTEE MEETING REPORT
K-20 Competitiveness Subcommittee

1/26/2011 2:00:00PM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Erik Fresen (Chair)	X		
Janet Adkins	X		
Douglas Broxson	X		
Dwight Bullard	X		
Rachel V. Burgin	X		
Charles Chestnut IV	X		
Gwyndolen Clarke-Reed	X		
Marti Coley	X		
Richard Corcoran			X
Daniel Davis	X		
Reggie Fullwood	X		
Jeanette Nuñez	X		
W. Keith Perry	X		
Betty Reed	X		
Carlos Trujillo	X		
Totals:	14	0	1

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COMMITTEE MEETING REPORT
K-20 Competitiveness Subcommittee

1/26/2011 2:00:00PM

Location: Morris Hall (17 HOB)

Other Business Appearance:

Teacher Quality

Kayla McGannon (Lobbyist) (At Request Of Chair) - Information Only
Stand for Children Colorado
1201 E. Colfax Ave, # 203
Denver CO 80202
Phone: 303-648-1165

Teacher Quality

Joe Williams, Executive Director (At Request Of Chair) - Information Only
Democrats For Education Reform
433 W. 21st Street, #30
New York NY 10011
Phone: 646-354-9625

Teacher Quality

Terrie Brady (Lobbyist) (At Request Of Chair) - Information Only
Duval Teachers United
1601 Atlantic Blvd.
Jacksonville FL 32207
Phone: 904-396-4063

Teacher Quality

Andy Ford, President (Lobbyist) (At Request Of Chair) - Information Only
FEA
213 S. Adams Street
Tallahassee FL 32301

Teacher Quality

Joy Frank, General Counsel (Lobbyist) (At Request Of Chair) - Information Only
Florida School Superintendents Assoc.
208 S. Monroe Street
Tallahassee FL 32301
Phone: 850-222-2280

Teacher Quality

Commissioner Smith (Lobbyist) (State Employee) (At Request Of Chair) - Information Only
Commissioner of Education
325 W. Gaines Street
Tallahassee FL 32399
Phone: 850-245-9641

Teacher Quality

Levesque , Patricia (Lobbyist) (At Request Of Chair) - Information Only
Foundation for Florida's Future
215 S. Monore Street
Tallahassee FL 32301
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DEMOCRATS *for* EDUCATION REFORM

Reforming Teacher Tenure and Evaluation

January 26, 2011

Good morning. [Committee leadership] and members of the committee, thank you for this opportunity to speak with you today.

I am Joe Williams, executive director of Democrats for Education Reform, a national education policy advocacy organization. I first became involved with education policy in my years as a reporter with the *New York Daily News* and *Milwaukee Journal Sentinel*, covering large urban school systems. I became intimately familiar with the heartbreaking failures of the status quo in American public education. In 2005, I wrote a book called *Cheating our Kids: How Politics and Greed Ruin Education*, which documented much of what I observed about the entrenched interests and cynical politics that compromise the quality of our schools and shortchanged generations of children. As a policy advocate and as a parent of two children in public schools, my approach to education policy centers around creating a public education system that ensures every child, in every neighborhood, has access to an excellent education.

I am joined today by my colleague Jocelyn Huber, who began her career in the classroom as a Teach for America corps member. Teaching in a rural public school, she saw firsthand the lifelong challenges facing students who are denied access to an excellent education. Prior to joining us at Democrats for Education Reform, Jocelyn worked as the grants manager for the National Education Association Foundation, where she evaluated proposals for instructional and development projects submitted by public school teachers around the country. We are both honored to appear before the committee today to discuss the urgent need for teacher evaluation and tenure reform in Florida.

I would like to start by commending the leadership and members of this committee for taking on such an important issue. No matter your party affiliation, the first principle of education policy in Florida and in our country should acknowledge that an excellent teacher in the classroom is the most important determinant of a child's educational success.

The only way to close the achievement gap and transform public education in Florida and around the country is by recruiting, developing and retaining great teachers and principals. A Stanford University study found that, regardless of demographics, students with good teachers make an average of a grade and a half worth of gains in an academic year. Students with the least effective teachers progress only one-half a grade, falling a grade behind their peers year

after year. Another study in Dallas found that students starting at similar levels of math performance in the third grade had markedly different outcomes by the end of the fifth grade – this was a function of who taught them. Those taught by three effective teachers in a row moved up from the 56th percentile to the 77th percentile, while those taught by three ineffective teachers dropped down to the 27th percentile. Many children will never recover from such significant impediments to their development.

A top-notch public education system requires a structure for identifying and rewarding greatness in classroom teaching and school leadership. Existing evaluation and tenure systems are not equipped to measure excellence; all too often, these systems accept mediocrity as the fullest extent of a teacher's potential. We owe it to our children to set the bar higher. Currently, in most states, the best we can hope for stops at "satisfactory" teachers and "acceptable" schools.

What is most disappointing about existing tenure and evaluation systems is that in setting the highest standard at "satisfactory," they short-change our best teachers and our most effective school leaders. We know there are incredible teachers in classrooms all across America. But when excellence itself has become irrelevant in public education, as it has through the proliferation of ill-equipped and broken tenure systems, the best teachers and the most promising school leaders go unrecognized. A system designed to protect its worst members will inevitably harm its very best.

The steps the legislature is taking today begin the process of ensuring that excellence becomes cornerstone of Florida's public education system, one that will be a model for the country. A reformed and effective tenure system can elevate our best teachers – real American heroes – while shaping a newly vitalized public education system that overwhelms the challenge before us. That challenge -- providing every student in every community with an excellent education – requires bold action.

The transformative power of an effective tenure system is great: Florida will retain and promote its best teachers, ensure that struggling teachers get the resources they need to improve, and, when necessary, be able to replace ineffective teachers with better ones. However, a structure that yields these results cannot exist without a rigorous teacher evaluation system. I will lay out four principles for such a system:

1. Florida's teacher evaluation system must be based at least 50% on student academic progress, using valid and reliable measures, such as classroom observation developed with on-the-ground teacher input.
2. The evaluation system must also provide teachers with meaningful opportunity to improve by incorporating useful feedback and directing targeted resources to areas in need of development. This feature enables teachers to succeed in their chosen profession, and is a necessary step between measuring performance and replacing ineffective teachers.

3. The system's evaluations must be central to the hiring, promotion and dismissal processes in Florida schools. The current "last in, first out" system forces out excellent young teachers – exactly the kind of people Florida needs to recruit for its schools – and gives blind preference to ineffective teachers solely based on seniority. Experience can make a great teacher better; but experience alone cannot outweigh excellence during job decisions.
4. We need to acknowledge the origin of tenure systems in protecting teachers from abuse and arbitrary dismissal. These were real obstacles to earlier generations of educators, and today's teachers still need and deserve protection against unfair treatment. An effective tenure and evaluation system will be unbiased, fair, transparent and expeditious – and will ensure that teachers are treated like professionals.

An effective evaluation system will enable Florida to put an excellent teacher in every classroom and address inequities in the distribution of great teachers. Across the country, the uneven quality of teaching from district to district, reinforced by the failure to implement rigorous evaluation systems, has a disproportionately negative impact on students in schools with high proportions of poor and minority children. This injustice is on par with, and perhaps even more dire than, dilapidated school facilities, scant textbooks and key resources, and other traditional markers of educational inequity.

The situation is most urgent in math, where the relationship between a teacher's subject matter knowledge and effectiveness is clear, and where the link between a child's success in the classroom and success in the 21st century workforce is the strongest. Studies and empirical data on the inequitable distribution of high-quality teachers is emerging, and patterns are becoming more clear. A recent study in the District of Columbia found, for example, that only 5% of the 636 top-performing teachers work in that city's highest-poverty community. In contrast, 22% of the top-performing teachers are in the city's most affluent district, which has eight fewer schools. These statistics are available only because Washington, DC implemented its IMPACT teacher evaluation system – one of the most advanced and robust in the country. The problem of teacher inequity I have just described is exacerbated by the last in, first out policies protected by existing tenure systems. These policies have a devastating impact on schools with the highest proportion of poor and minority students as those schools tend to have a younger teaching corps.

Florida can lead the country by creating a rigorous teacher evaluation and tenure system. To be certain of that, we need only look at the failing status quo. Teacher evaluations in other states, to the extent that they currently exist, are -- for the most part -- neither rigorous nor fair. Indeed, teachers and principals themselves are some of the strongest critics of existing tenure and evaluation systems. A Gates Foundation and Scholastic survey found that only 32% of teachers view teacher and peer observations as very accurate measures of performance; only 22% see principal observations and reviews as very accurate; and only 10% find teacher tenure to be a very accurate gauge of performance. Teachers have lost faith in the ability of evaluation

systems to gauge performance – and with good reason. Most states and districts use a binary rating system for teachers: satisfactory or unsatisfactory. It is typical for 99% of teachers to be placed in the top category. A system that passes 99% of its subjects simply isn't reviewing very much. A 2007 New Teacher Project study found that 87% of Chicago's city schools – 87% – did not issue even a single "unsatisfactory" rating from 2003 to 2006. During that time, 69 of those schools were declared educationally failing. The system is broken.

As currently constituted, these tenure systems are unable to recognize excellence; poor performance goes entirely unaddressed. Great teachers quickly learn that their exemplary work in an incredibly challenging profession will not be acknowledged, let alone rewarded. And the teachers who do the poorest job of educating students understand that the system takes no notice. Regardless of how many students they let down year after year, they will, in all likelihood, be lumped in with everyone else. Unfortunately, good teachers must work twice as hard to offset the damage done by their less effective peers. Eric Hanushek, an education policy specialist at Stanford University, found that the costs of allowing the most ineffective teachers to remain in the classroom are high. Sadly, damage is done by a relatively small minority of teachers: removing the bottom 6 to 10% of teachers has enormous implications for the system.

Like a "satisfactory" evaluation, tenure – the ultimate reward – is bestowed upon nearly every teacher who can outlast the perfunctory waiting period. In 2008, the National Council on Teacher Quality reported that 41 states received failing grades for tenure policies, with only 2 states requiring evidence of effectiveness for tenure decisions. Just as educators know that evaluation systems are not working, so too do they recognize that existing tenure systems fail their profession. A survey completed in 2009 for The New Teacher Project found that 68% of teachers and 91% of principals "strongly agree" or "agree" that dismissing poorly performing tenured/non-probationary teachers is an important part of maintaining a high-quality teaching staff. An Education Sector survey from the year before found that 46% of teachers said they knew a teacher in their own school who was past the probationary period and was clearly ineffective and should not be in the classroom. This system is failing students, but it is also failing teachers and principals.

How likely are we to ensure that every student has a talented, dedicated and effective teacher with the perverse incentives offered by existing tenure systems? How can the interests of children – who will form our workforce and citizenry -- ever be a first priority with such a broken structure?

I applaud the leadership and members of this committee for taking up this issue today. Florida will do a real service to its children, and can lead the rest of the country forward, by establishing a meaningful tenure system that is based on rigorous, impartial and effective evaluations of its teachers and principals. Thank you again for your time and for allowing us to appear before your committee. I would be happy to answer any questions that the members may have.

DASSC Letter

October 23, 2009

Dear Lieutenant Governor O'Brien and Commissioner Jones,

The Denver Area School Superintendents' Council (DASSC) applauds the efforts in Colorado to develop a proposal for "Race to the Top" funding. We know that many individuals have devoted long hours to determine the most effective strategies for accelerating the achievement of Colorado students. The members of DASSC, the superintendents of the 23 Front Range school districts, are taking this opportunity to clearly state our opinion that the critical element in school reform and in accelerating student achievement is Teacher Effectiveness. This opinion is based on research, literature, and experience. Consequently, we are advocating for the following changes in statute and in practice as part of the application for "Race to the Top" and as part of Colorado's future policy efforts in school reform.

Changes in the Probationary and Continuing Contract Status of Teachers

- Currently Colorado statute requires that teachers are granted continuing contract status on the first day of their fourth year of teaching. Once a teacher has continuing contract status, they are protected by the Teacher Dismissal Act. We would advocate a change in this statute so that teachers are not automatically granted continuing contract status after three years. The superintendents in DASSC have discussed two options for changing the automatic granting of a continuing contract. We would look forward to wider discussion of these options with other superintendents and with policy makers in Colorado.
 - a. The first option is that districts would have discretion to grant continuing status at any time after the end of a teacher's third year and before the end of a teacher's seventh year. We would advocate that the current statutory provision for non-renewal be maintained. That provision provides for the standard that a probationary teacher may be non-renewed for "any reason deemed sufficient by the superintendent."
 - b. The second option is to lengthen the period of time before continuing contracts are granted to five years for all teachers in all school districts. Again, we would advocate that the current statutory provision for non-renewal be maintained. That provision provides for the standard that a probationary teacher may be non-renewed for "any reason deemed sufficient by the superintendent."
- Another provision we would suggest changing is that once teachers have non-probationary status, their status is subject to renewal every five years. That renewal would clearly symbolize the need for continuous learning and continued high quality performance for educators.

Changes in the Teacher Dismissal Act

- All superintendents in DASSC want teachers protected from arbitrary decisions and capricious behavior on the part of any school administrator. However, the Teacher Dismissal Act has created an unworkable, complex, drawn out process for dismissal of any licensed teacher whose performance is not satisfactory. We would advocate that the Teacher Dismissal Act be reviewed and revised so that the following could be accomplished.
 - a. While maintaining protection, the protracted process should be simplified and shortened. Teachers should not have 100 days of pay while the case is moving forward from the grievance process through a hearing in front of an administrative law judge unless the teacher wins the hearing in question and is reinstated. Otherwise, we would advocate that paying teachers ends when the district moves for dismissal.
 - b. Remediation and dismissal statutes should align with districts' teacher evaluation systems. To be successful and drive student achievement, districts must be able to reward talented educators and replace those who are ineffective. With the goal of a fair and efficient dismissal process, the statute should streamline provisions on remediation. Rather than a lengthy remediation process the statute should require that before teachers are recommended for dismissal, they have received a notice of deficiencies and a reasonable time within which to improve to the point of consistent satisfactory performance. The required due process should center on the notification and the fairness of the treatment received prior to dismissal, rather than around the "remediation process" currently required before the recommendation for dismissal. Streamlining the process would eliminate a separate "remediation process" while protecting the rights of teachers to notice of deficiencies and an adequate opportunity to improve. Through notification and focus on improvement, the process can become a more meaningful performance improvement process rather than a procedural step towards dismissal.
 - c. The burden of proof at a contested dismissal hearing for performance based issues should be shifted from the school district to the individual teacher. The teacher should have to prove arbitrary or capricious behavior on behalf of the school district. The use of the arbitrary and capricious standard should recognize that school administrators should have considerable discretion and judgment about whether a teacher is performing his or her job in a satisfactory manner. We also believe that the losing party should pay hearing related expenses.
- Another aspect of the Teacher Dismissal Act that we would advocate be changed is that when teachers lose their position at a particular school, they are not guaranteed another teaching position in the district. Districts should have no obligation to force place those teachers in other schools. Rather, teachers should be given some fair time period, perhaps up to a full year including one full hiring season, to find a position in another school. If that period expires without the teacher finding a job through the voluntary staffing process, the district should have no further obligation to continue

employing that teacher even if the teacher has a continuing contract. The provision for allowing time for a teacher to find another position should not apply when a district is involved in a reduction in force because of declining enrollment or budget reductions.

- If a teacher is not recommended for dismissal following a hearing process and the Board of Education places that teacher on a year of probation, the law should be clarified that the teacher can be non-renewed at the discretion of the superintendent at the end of that year if the teacher does not meet performance standards as defined in the evaluation process.

Implement the Professional Work Year

- Superintendents applaud the success of our teachers over the last five years. Their worlds have changed and the majority of teachers have met the challenges with distinction. However, despite the dramatic changes in the expectations and in the requirements, the time teachers have for teaching and for learning has not expanded significantly over the past 30 years. If we know that the well trained, well paid teacher is the key variable in changing student achievement, then we must find more time for meaningful teacher professional development and more time for intense work with students.
- If we are truly committed to reform in education, the teaching profession must be expanded to a full time profession. We would advocate that by having teachers work a longer year, they would have more time for instructing students and more time for adult learning. The science and art of teaching have changed. The time for developing skills in teaching has not.
- We understand that expanding the teacher work year would require significant new funds. We believe that school districts would willingly pilot the concept if any of the "Race to the Top" funds are dedicated to a professional work year for teachers and principals. We are willing to be held accountable for determining if more time for teachers results in meaningful changes in student learning.

Implement an Effective Evaluation System

- The sciences of assessment and measurement offer an opportunity to revise and, even, revolutionize how we evaluate districts, schools, and individuals. The evaluation processes for all three of those entities must be aligned and must be based on tangible results with students.
- We would advocate that Colorado develop a consistent evaluation system that is results based and fair and that aligns the systems used to evaluate districts, schools, and individuals.

Finally, we would encourage the distribution of Race to the Top funding to all school districts in Colorado. Our state has an opportunity to truly advance student achievement. All students in all districts should have access to the reforms that could be advanced with Race to the Top funds.

The superintendents represented by DASSC understand fully that our suggestions are not going to be welcomed by all stakeholders in public education. However, we believe it is time to professionalize education and take meaningful, bold steps related to Teacher Effectiveness. The vast majority of educators are capable, competent, and highly committed to their students. The steps we suggest above would strengthen an honorable profession.

Members of DASSC are willing to meet with anyone at any time to discuss our recommendations. Thank you for your work for the students of Colorado.

Sincerely,

The Denver Area School Superintendents, Council

cc: Matt Gianneschi

November 11, 2009

TO: Denver Area School Superintendents Council
FROM: Tony Salazar, CEA Executive Director
RE: October 23 DASSC Letter

We were disheartened to read DASSC's letter to Lt. Governor O'Brien and Commissioner Jones. It is unfortunate that DASSC is using the banner of "teacher effectiveness" to advance a political agenda that underscores a decades-old dispute. Your letter is an unnecessary diversion in the Race to the Top process that adds no value to Colorado's application.

CEA members have been involved from the outset of the process as serious participants. As such, we have consistently said that improving "teacher effectiveness" requires a systemic approach that recognizes, supports and measures a teacher's ability and growth along a continuum of preparation, licensure, recruitment, induction and professional development.

DASSC places teacher evaluation at the end of the list of points in the letter. Is this really how superintendents view the importance of an effective teacher evaluation system? We believe teacher evaluation should be a priority, not an afterthought. We should be working together to revamp teacher evaluations so they measure educators' performance and truly serve as the foundation for quality instruction.

Your letter does not mention principals. Teachers must have instructional leaders who know how to recognize effective teaching practice, provide useful feedback and encourage professional growth. Teachers are willing to be held accountable for their classroom practice and performance when evaluations are based on effective teaching methods and not on brief observations that often include no direct feedback to improve instruction.

CEA makes every effort to partner with administrators and school board members, through their professional associations, on issues that impact public education. For example, we are working collaboratively on fiscal/tax reform and the school finance adequacy lawsuit. CEA has committed time and money to this work. Your letter is a passive technique that not only weakens these partnerships, but threatens potential new federal funding for our schools.

CEA views your recommendations as a means of stripping our members of their statutory protections. Teachers are placed in difficult, vulnerable situations every day of their professional lives. Superintendents should be identifying ways to support teachers through better teaching and learning conditions, improved induction programs, meaningful professional development, increased mentoring opportunities, and of course, quality evaluation systems. We view your attempt to scapegoat teachers for public education system failures as irresponsible when so many aspects of supporting healthy instruction can and should be addressed by superintendents.

Now is not the time to create divisiveness. Now is the time to develop a shared vision on teacher effectiveness and other critical topics by having an open, honest dialogue with all public education stakeholders.

cc: Lt. Governor Barbara O'Brien
Education Commissioner Dwight Jones
Matt Gianneschi, Governor's Office
John Hefty, CASE