

United States House of Representatives
Committee on Education and Labor

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Written Testimony of
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Mr. Chairman, Mr. McKeon, and Members of the Committee, thank you for providing me with the opportunity to testify before you this morning on the reauthorization of the No Child Left Behind Act, in particular about the teacher quality provisions.

This Committee has shown great leadership not only in confronting the achievement gap in our public schools, but also in recognizing that improving the quality of teaching at high-poverty and high-minority schools is the most effective gap-closing strategy. While the No Child Left Behind Act (NCLB) addressed teacher quality issues more directly and thoroughly than in any previous authorization of the Elementary and Secondary Education Act, it has not yielded all the needed and hoped-for change. There is still much to do. And there are some very clear “lessons learned” from the last five years that point toward more effective policies.

The Committee’s discussion draft embraces many of those lessons and proposes important and constructive changes to the current law. The draft, however, leaves one huge problem unaddressed.

The positive changes in the draft include:

- Support for better information and data management systems that will allow state and local policymakers and administrators to make informed, rational and just decisions about the deployment of teacher talent;
- Increased clarity about Congressional intent on the equitable distribution of teachers;
- The demand for *real* fiscal comparability between Title I and non-Title I schools; and
- Powerful incentives and supports for teachers to work at and succeed in hard-to-staff schools.

There is, however, some unfinished business in the draft. It neglects to correct one of the most glaring shortcomings of the original law. The current law fails to target Title II funds to the hardest-to-staff or highest-poverty schools. And the draft, as it stands, makes the same mistake. While it is the clear intent of the law that these funds reach these schools, we know from the experience of the last

five years that without clear direction from Congress, Title II money will not benefit the schools that need the most help.

We Know That Good Teachers Make an Enormous Difference

Researchers are finding that strong teachers make a huge difference for our most educationally vulnerable kids.

- Researchers in Texas concluded in a 2002 study that teachers have such a major impact on student learning that "...having a high quality teacher throughout elementary school can substantially offset or even eliminate the disadvantage of low socio-economic background."¹
- A recent analysis of Los Angeles public school data concluded that "having a top-quartile teacher rather than a bottom-quartile teacher four years in a row would be enough to close the black-white test score gap."²
- A second study in Texas showed that the teacher's influence on student achievement scores is *twenty times greater* than any other variable, including class size and student poverty.³

...But the Students Who Most Need Good Teachers Don't Get Them.

Despite these and other studies that document the tremendous power that great teachers have to help students overcome the burdens of poverty and racism, we persist in providing those who need the most from their teachers with the teachers who have the very least to offer them.

- Nationally, fully 86% of math and science teachers in the nation's highest minority schools are teaching out of field.⁴
- In Texas high schools with the most African American students, ninth-grade English and Algebra courses—key gatekeepers for high school and college success—are twice as likely to be taught by uncertified teachers as are the same courses in the high schools with the fewest African American students. Similarly, in the state's highest-poverty high schools,

¹ Steven G. Rivkin, Eric A. Hanushek, and John F. Kain. 2002. *Teachers, Schools, and Academic Achievement*, University of Texas-Dallas Texas Schools Project.

² Robert Gordon, Thomas J. Kane, and Douglas O. Staiger, 2006. *Identifying Effective teachers Using Performance on the Job*. Washington, D.C.: The Brookings Institution.

³ As cited by Daniel Fallon, 2003. *Case Study of A Paradigm Shift (The Value of Focusing on Instruction)*. Education Research Summit: Establishing Linkages, University of North Carolina.

⁴ Jerald, C. 2002. *All Talk, No Action: Putting an End to Out-of-Field Teaching*. The Education Trust. Available: www.edtrust.org.

students are almost twice as likely to be assigned to a beginning teacher as their peers in the lowest poverty high schools.

- And let's not just pick on Texas: Researchers reported recently that economically advantaged fifth-grade students in North Carolina were substantially more likely than other students to be matched with highly-qualified teachers.⁵ Across the state, African-American seventh graders were 54 percent more likely to face a novice teacher in math and 38 percent more likely to have one for English, with the odds even greater in some of North Carolina's large urban districts.⁶
- Recent research conducted by The Education Trust and stakeholders in Wisconsin, Ohio, and Illinois found similar inequitable distribution problems.⁷ In Illinois, for example, 84% of the schools with the most low-income students were in the bottom quartile in teacher quality, with more than half in the very bottom 10% of teacher quality. Among low-poverty schools, only 5% were in the bottom quartile of teacher quality.⁸
- In 2000, teachers in the highest-poverty schools in New York City were almost twice as likely (28%) to be in their first or second year of teaching compared to teachers in the lowest-poverty schools (15%). Similarly, more than one in four (26 percent) students of color was taught by teachers who had failed the general knowledge certification exam, compared to only 16 percent of white students.⁹

The Effects of these Unjust Distribution Patterns on Achievement is Dramatic and Devastating

- In high-poverty, high-minority high schools in Illinois with above-average teacher quality, students *were almost nine times as likely to demonstrate college-ready academic skills* as their counterparts in other high-poverty, high-minority schools with lower teacher quality. Indeed, students who

⁵ Clotfelter, C. T., Ladd, H. F., & Vigdor, J. L. (2006). Teacher-student matching and the assessment of teacher effectiveness. *Journal of Human Resources*, 41(4), 778-820.

⁶ Clotfelter, C. T., Ladd, H. F., & Vigdor, J. L. (2005). Who teaches whom? Race and the distribution of novice teachers. *Economics of Education Review*, 24, 377-392.

⁷ Peske, H. and Haycock, K. 2006. *Teaching Inequality: How Poor and Minority Students are Shortchanged on Teacher Quality*. The Education Trust. Available: www.edtrust.org

⁸ Presley, J., White, B., and Gong, Y. 2005. *Examining the Distribution and Impact of Teacher Quality in Illinois*. Illinois Education Research Council. Policy Research Report: IERC 2005-2. Available: <http://ierc.siue.edu>.

⁹ Susanna Loeb and Luke C. Miller, 2006. *A Federal Foray into Teacher Certification: Assessing the "Highly Qualified Teacher" Provision of NCLB*. Available: http://devweb.tc.columbia.edu/manager/symposium/Files/98_LoebMiller_%20Nov%201.pdf

completed Calculus in schools with the lowest teacher quality were less likely to be college ready than their counterparts who completed only Algebra II in schools with medium teacher quality. The simple truth is that if you do not have high-quality teachers, you do not have rigorous courses, no matter what the course name says.

- Research in Tennessee shows that teacher effects are cumulative. Students who start the third grade at roughly equal achievement levels are separated by roughly 50 percentile points three years later based solely on differences in the effectiveness of teachers to whom they were assigned. Students performing in the mid-fiftieth percentiles who were assigned to three bottom-quintile teachers in a row actually *lost* academic ground over this period, falling to the mid-twentieth percentiles.
- What about students who start off low-achieving, as do so many low-income students? Researchers from the Dallas public school district concluded: “A sequence of ineffective teachers with a student already low-achieving is educationally deadly.”¹⁰

I want to acknowledge that despite these overall trends, there are some truly fantastic teachers in our high-poverty schools who are achieving dazzling success for their students and their communities. Indeed, at The Education Trust we celebrate these educators and seek to learn from their accomplishments. But these exceptional teachers are exactly that—exceptions. For no matter the measure of teacher quality, the conclusion is always the same: low-income students and students of color are consistently assigned to less qualified and less able teachers than are their peers. These inequalities undermine their educations, their life chances and ultimately our collective future.

Much of the research cited above had not been published five years ago when Congress passed NCLB, but the research available at the time was enough to convince members that the achievement gap couldn't be closed without addressing the teaching talent gap. Congress made an historic and critical attempt to focus the attention of state and local education leaders on assuring teacher quality and turning around unfair and damaging teacher distribution patterns.

The teacher-related provisions in No Child Left Behind embody three basic principles:

1. That all students are entitled to qualified teachers who know their subject(s) and how to teach them;
2. That parents deserve information about their children's teachers; and
3. That states, school districts and the national government have a responsibility to ensure a fair distribution of teacher talent.

¹⁰ Ibid.

To accomplish these goals, Congress increased funding for teacher quality initiatives by 50%, from \$2 billion to \$3 billion per year—on top of significant increases in Title I, which can also be used to improve teacher quality. These new dollars were targeted to high-poverty school districts, and local leaders were given nearly unfettered discretion to spend the money in ways that were tailored to local circumstances.

Despite a sincere effort by Congress, the law has not been a sufficiently powerful tool to achieve the hopes of legislators or to meet the needs of students. Some of the failure is due to utterly inadequate implementation efforts by the Department of Education, some is due to massive resistance from powerful adult stakeholders, and some portion of that failure is rooted in the flaws in the statute itself.

The discussion draft, by significantly recasting the law, addresses many of the problems that the original statute had, and would be a powerful lever of greater equity in the distribution of teachers.

Proposals Are Headed In Right Direction

- *Data to Drive Decision Making*

A major impediment to meaningful improvement is the lack, in most states, of data systems that are capable of analyzing whether the distribution of qualified and effective teachers stacks the deck against poor and minority students. Despite a plethora of external studies showing pervasive problems in the supply of strong teachers in high-poverty schools, most states and districts are not collecting or using such data to guide local efforts. Indeed, in the summer of 2006, when USDOE finally asked states to comply with teacher equity provisions of Title II, most states were unable to report even the most basic information on whether poor and minority students were taught disproportionately by inexperienced and unqualified teachers.

Congress should provide dedicated funds to each state for the development and operation of education information management systems and set minimal requirements for such systems. One such requirement should be that the systems have the ability to match individual teacher records to individual student records and calculate growth in student achievement over time.

The data systems called for in Title I of the draft—which provides for matching of students and teacher records and could measure classroom-level learning growth—coupled with the teacher needs assessments called for in Title II will provide objective decision-making data to replace the good intentions and bad habits that are now the basis of too many education decisions.

- *Needs Assessments*

Under NCLB, local school districts were required to conduct a “needs assessment” to identify the most pressing teacher quality problems. However, because the requirements were vague, because many places lacked capacity to collect the data and weren’t required by USDOE to improve, and because there was no clear link between the needs assessment provisions and the use of funds, these provisions have not been powerful drivers for targeting Title II funds to the schools and teachers that need the most help.

Under the current Committee discussion draft, however, core analyses are required and tightly connected to the use of Title II funds. For example, the proposal requires school districts to identify schools that have higher rates of novice teachers, schools with teacher attrition problems (using a three-year average), and schools with the most teachers on waivers or emergency credentials. By grounding Title II plans in measurable, actionable areas, the Committee draft, if adopted, would ensure a better fit between Congressional intent and local action.

- *Comparability*

Federal investments cannot ensure meaningful equity in public education unless state and local districts use their own resources equitably. That’s why Title I has always required local school districts to ensure “comparability” in resources for Title I schools *before* Title I funds are applied. But, by ignoring teacher salaries in assessing comparability, current Title I law allows school districts to shortchange students in high-poverty schools, to cover up this theft with opaque accounting practices, and in the end to redirect Title I funds away from the low-income students Congress intends to help.

Federal law should not contain loopholes that exclude teacher salaries from the determination of comparability across schools. The Committee is to be commended for addressing this issue, and for including a reasonable phase-in period. Although you are certain hear many loud and powerful voices asking you to turn a blind eye to this inequity, please know that those voices are endorsing the continuation of a grave and federally-sanctioned injustice that has limited the life chances of too many students for far too long. Closing the comparability loophole is simple justice and absolutely essential to giving Title I schools—and the students who attend them—a fighting chance.

- *Differential Pay Demonstration Programs*

Finally, in terms of teacher quality, we’ve learned that the federal law must compel states and districts to take more responsibility for staffing high-poverty schools with strong teachers. Part of the reason high-poverty and high-minority schools are so consistently shortchanged in teacher talent is because state and

local policy fail to acknowledge that, all other things being equal, most teachers migrate away from the highest-poverty and highest-minority schools. For too long, problems with recruitment and retention have been seen as school problems, while states and district control many of the levers that create the inequities and that could be used to address them. For example, teachers are all paid the same, no matter if they teach in schools where all the students need extra support, no matter if they bring special skills and abilities to the classroom, and no matter whether they are successful or not in teaching.

We need policies that provide better conditions and richer incentives so teachers can earn more pay and higher status, and get more support, if they are successful in schools where success has been all too rare. There are many proposals in the current Committee discussion draft that would spur innovation in this area, including support for “premium pay” in hard-to-staff, high-poverty schools, as well as career ladders for teachers to grow as professionals while staying in the classroom. These proposals were initially proposed in the TEACH Act, introduced by now-Chairman Miller in the last Congress, and were widely praised across the education community, including public endorsements from both of the national teachers’ unions, and they deserve to be enacted.

It is long past the time to move on from the anachronistic single-salary schedules that treat teachers as if they are assembly line workers instead of professionals. Teachers who take on greater responsibility, and teachers who are more successful, should be able to distinguish themselves within the profession. Given that the most acute need for better teachers and experienced mentors is in high-poverty, Title I schools—and that these schools have languished without appropriate assistance in recruiting and retaining the strongest faculty—it is entirely appropriate for Congress to create these incentives for innovation. It is important to keep in mind that none of these incentive programs are mandatory; they simply are being made available to states and local districts that are ready to try something new to help their students succeed. If we are serious about closing the achievement gap, we cannot leave these strategies off the table.

Targeting of Teacher Quality Funds Must Still Be Strengthened

Congress sought to seed innovations in teacher assignment and distribution with the creation of Title II in NCLB. Title II grants have provided almost \$3 billion per year since NCLB was enacted—totaling almost \$15 billion—that was supposed to help states and districts to ensure students in high-poverty schools got their fair share of the best teachers. Unfortunately, the money is not getting to the schools that Congress sought to help the most.

In November 2005, an audit by the Government Accountability Office that was requested by this Committee found that Title II was being used to provide professional development to teachers in general, without any focus on the

schools or teachers most in need of help. According to the GAO, “only a few of the Title II-funded initiatives were directed to specific groups of teachers, such as teachers in high-poverty schools or teachers who had not yet met the [highly qualified teacher] requirements of NCLBA.” (Improved Accessibility to Education’s Information Could Help States Further Implement Teacher Qualification Requirements, at page 33, Report # GAO-06-25, Government Accountability Office, November 2005.)

When Title II is reauthorized, the law should ensure that money meant for teachers in struggling schools is spent on teachers in struggling schools. Title I provides a good framework for district-to-school distribution; while local school districts retain a lot of discretion in how narrowly or broadly to focus the money, the highest-poverty schools must be served first and must get the biggest per-pupil allocations. Adopting this approach in Title II would allow Congress to leave significant discretion with local officials in terms of *how* to raise teacher quality, but would ensure that focus of the federal investment stays true to helping students in the highest-poverty schools.

Conclusion

This Committee has led the way in focusing on teacher quality as a key driver of closing the achievement gap. This focus is based on a strong record of research establishing teacher quality as the single most critical component of educational improvement efforts. This focus must be renewed and strengthened because unequal opportunity still is a huge challenge to closing achievement gaps. I commend the Committee for its leadership on this issue and hope that when the Elementary and Secondary Education Act is reauthorized, it represents an even stronger tool for raising teacher quality in high-poverty schools.