

Senate Bill 24: Myths & Facts

Part 1: Top myths about the proposals to improve teacher and principal quality



Presented by:

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Introduction

There are many questions about Senate Bill 24, the legislation proposed by Governor Malloy to strengthen Connecticut's education system. The bill is now under consideration in the legislature's Education Committee. Questions and concerns about the bill have been raised in public forums across the state, many of which are based on misinformation. Some of this misinformation is being intentionally propagated by opponents of the bill. This document is designed to address those myths head on, cut through the rhetoric, and present the truth about S.B. 24.

Myth: Educators were not consulted in developing this evaluation system or this bill

Fact: The teacher and principal evaluation guidelines¹ were developed and unanimously approved by the Performance Evaluation Advisory Council (PEAC), which included both teachers unions and groups representing school principals. The PEAC met for nearly two years to develop these guidelines. In addition, it is our understanding that both unions were extensively consulted in the development of S.B. 24.

Unfortunately, some of the authors of the PEAC guidelines are now expressing surprise that the new system may actually be put into use. This telling fact, and their lack of constructive suggestions for improvement, precludes these groups from credibly claiming that they are serious about improving educational outcomes for our state's children.

Myth: This bill establishes an unfair evaluation system based only on test scores

Fact: First, S.B. 24 does not establish an evaluation system. The system of teacher and principal evaluation guidelines was established outside of S.B. 24 by the PEAC, which included both teachers unions, and was approved by the State Board of Education. S.B. 24 builds from those unanimously approved guidelines.

Second, these guidelines establish an evaluation system that includes student achievement as one of the measures for evaluation, but student achievement data will not make up the majority of evaluations. The guidelines include a four-tiered rating system for both teachers and principals: Below Standard, Developing, Proficient, and Exemplary. The guidelines do require student achievement *growth* to be included in evaluations (not absolute performance, as some have asserted). A valid measure of student achievement growth can help account for students who start the year well behind academically. Essentially, this system will allow us to answer the question “did a student, based on where she entered this grade level, make a year’s worth of progress as we would expect?” There will not be a comparison of teachers who have lower-performing students to teachers with students who start the school year achieving at a higher level. In addition, state tests will only count for 22.5 percent of the evaluation for those teachers who teach a state-tested grade and subject. Other measures will include classroom observations (40 percent of the final rating), peer and parent input (10 percent), whole school indicators and student input (5 percent), and other indicators of student learning not captured on tests (22.5 percent).² Alternative student learning measures will be available for teachers who don’t teach a tested grade and subject. This combination of measures is fair, sound and balanced. It will allow educators to demonstrate effectiveness in multiple ways that focus efforts where they should be: on student learning.

¹ Connecticut State Board of Education Passage of Framework for Educator Evaluation (recommendations from the Performance Evaluation Advisory Council)

http://www.sde.ct.gov/sde/lib/sde/pdf/cert/peac/sbe_report_adption_peac_evaluation_guidelines_2-10-12.pdf

² *ibid*

Myth: Teachers can lose their certification, even after only one bad evaluation or one negative experience in one district

Fact: S.B. 24 does not make it possible for tenured teachers to become entirely unlicensed and unemployable. A teacher cannot unequivocally lose the right to hold a license, but can move in between the certification levels if his or her performance improves or declines significantly over time.³ Tenured teachers who, despite all the support offered under this proposal, do not improve their performances and lose their jobs and even their tenure will still not lose their licenses to teach in Connecticut. The fact is that under this bill, tenured and non-tenured teachers who receive a “below standard” rating and lose their employment would still hold an initial educator certificate, allowing them to seek employment in another district.

Myth: This bill would make teachers’ jobs and licensure vulnerable to arbitrary decisions or one administrator’s subjective judgment

Fact: This bill will actually make it more difficult for arbitrary firings to happen because of the many objective factors included in the evaluations that will drive dismissal decisions. The evaluation framework approved by the State Board of Education and developed by the PEAC provides several safeguards to ensure that one person cannot determine a teacher's evaluation rating, certification, or salary level. Evaluations will include a variety of components and objective data, including multiple student indicators (including but not limited to test scores), whole school student learning indicators or student feedback, observations of teacher performance and practice, peer review, and student and parent input. The principal evaluations will also include teacher input. Each component requires feedback from multiple sources and serves as a check and balance system. It would be nearly impossible for one single school administrator to arbitrarily determine a teacher’s effectiveness or to try to “rig the system” to target a teacher unfairly. In addition, if a teacher is identified for dismissal due to consistently poor evaluation ratings, he or she will still have the right to file a grievance and have a due process hearing if he or she believes that the evaluation system was improperly or unfairly used. Finally, as noted above, teachers will not lose certification based on one or even multiple poor evaluation results. Even the most ineffective teachers will not lose their jobs unless the system in which those teachers work have given them the support and help that they need to improve their performance. The bottom line is that once Connecticut has an evaluation system that includes the factors agreed upon by the State Board of Education, arbitrary dismissal will become nearly impossible due to the regular documentation of performance and use of multiple performance measures by a variety of stakeholders.

Myth: This bill eliminates tenure and job security

Fact: This bill preserves but reforms tenure by making it a meaningful designation based on an educator’s ability to achieve and maintain high levels of job performance. Under the proposal, teachers could earn tenure as quickly as three years with two “exemplary” ratings or in up to five years with three “proficient” or “exemplary”

³ Notwithstanding a teacher’s failure to pursue renewal of the certificate.

evaluations. Once tenure is earned, teachers must earn three “proficient” or “exemplary” ratings every five years to maintain tenure. If a teacher loses tenure after failing to improve his or her performance, even after extensive support and professional development, he or she may still keep a job and will *not* lose his/her license to teach.

Myth: Tenured teachers already can be, and are, dismissed; tenure reform is not needed

Fact: National data, such as The New Teacher Project’s study, “The Widget Effect,” show that 81 percent of administrators and 57 percent of teachers say there is a tenured teacher in their school who is performing poorly, and 43 percent of teachers say there is a tenured teacher who should be dismissed for poor performance. Troublingly, the percentages are higher in high-poverty schools. But district records confirm the scarcity of formal dismissals: at least half of the districts studied did not dismiss a single non-probationary (tenured) teacher for poor performance in the time period studied.

Even in systems that do conduct more rigorous evaluations and identify poorly performing educators, the time and cost required to pursue a dismissal is prohibitively high. The Connecticut Association of Boards of Education estimates that costs to dismiss a tenured teacher average about \$100,000 per dismissal. This is consistent with national estimates, which show that the cost to dismiss a tenured teacher range from \$100,000-\$200,000 per dismissal.⁴ These costs, in addition to the significant investments of time and effort the current dismissal process requires, are prohibitive for most districts, which are already struggling with tightened budgets and scarce time. Many administrators facing such costs and an uncertain outcome decide that it is simply not worth their while.

We can no longer afford to allow this to happen. Research shows time and again that great teachers matter mightily, and that just one ineffective teacher can have a detrimental and irreversible impact on students.⁵ Given this evidence, we must ensure that state policies recognize excellent teachers and principals, help struggling educators improve, and allow for fair, yet swift, dismissal of consistently ineffective educators. Such a policy overhaul must include improved dismissal and tenure policies that are connected to classroom performance and student learning. This bill proposes modest reforms to improve the fairness and transparency around the dismissal standards and streamline the dismissal process, while preserving teachers’ due process rights.

⁴ Devil in the Details: An Analysis of State Teacher Dismissal Laws (June 2010), Center for American Progress http://www.americanprogress.org/issues/2010/06/devil_in_details.html

⁵ For example, studies on teacher effects include: The Long-Term Impacts of Teachers: Teacher Value-Added and Student Outcomes In Adulthood - Raj Chetty, John N. Friedman, and Jonah E. Rockoff, National Bureau of Economic Research (2011); Teachers and Student Achievement in the Chicago Public High Schools. *Journal of Labor Economics*, 25(1); Aaronson, D., Barrow, L., & Sander, W. (2007); Cumulative and Residual Effects of Teachers on Future Student Academic Achievement; Sanders, W.L., & Rivers, J.C; Research Progress Report. Knoxville: University of Tennessee Value-Added Research and Assessment Center (1996); Teacher Effects on Longitudinal Student Achievement: A Preliminary Report on Research on Teacher Effectiveness; Jordan, H.R., Mendro, R.L., & Weersinghe, D. (1997).

Myth: S.B. 24 eliminates a teacher’s right to due process

Fact: The legislation maintains due process rights, while proposing a streamlined dismissal process that ensures fairness, effectiveness, and efficiency. First, let’s be clear about what the bill proposes regarding dismissals and due process hearings. S.B. 24 requires that an “ineffective” rating be considered grounds for dismissal. Tenured teachers who earn two consecutive “developing” ratings could be deemed ineffective, which would be considered grounds for dismissal. The proposal maintains due process for tenured teachers and expedites the hearing to 30 days (instead of the current 75 days), reduces the panel of arbitrators from three to one, limits the review of evidence and testimony to eight hours, and limits the scope of the hearing to the evaluation process, not the rating itself.⁶ It also reduces the substantial hearing costs (about \$100,000 per dismissal on average, see above) by requiring one arbitrator versus the current system that allows up to three arbitrators, each billing for multiple daily charges. If a teacher seeks a hearing based on a just cause dismissal, he or she will still have the rights to appeal for any reason, whether it be substantive or procedural in nature. Only due process hearings based on ineffectiveness are limited to procedural claims (i.e., was the evaluation process followed fairly and accurately).⁷ In effect, this section prioritizes a fair and streamlined decision-making process for the very small number of teachers who may go through this process in any given year. By tying dismissals to a clear, robust evaluation framework, and allowing teachers to dispute whether the process was followed fairly and accurately, S.B. 24 maintains and strengthens protections against unfair firing.

Myth: This bill targets teachers but ignores the essential role of school leaders/principals

Fact: The evaluation guidelines approved by the PEAC also include evaluation guidelines for principals. Research is clear that teachers are the most important factor impacting a student’s success in school, and principals are the second most important factor. The PEAC guidelines, and the state model system that will be developed using those guidelines, will also hold administrators accountable for their performance and will provide support for both teachers and administrators so that they can be successful.

Myth: S.B. 24 ignores the real purpose of evaluation systems: to provide support and professional development needed to help teachers improve

Fact: The bill attempts to recognize the central role of professional development and support in any improvement effort. That is why the bill proposes eliminating continuing education credits and instead replacing them with job-embedded professional development that would be linked to a teacher’s needs, as identified in the evaluation. In fact, the bill proposes \$5 million to support meaningful professional development opportunities that are aligned to the state’s proposed teacher and administrator evaluation system, and another \$2.5 million to fund the build out, start up, and pilot of the evaluation and support system itself – for a total of \$7.5 million.

⁶ Sec. 28 (d) 2012

⁷ Sec. 29 (c) 2012

Myth: This bill ignores teacher preparation and recruitment, both of which have significant impact on the quality of our educators

Fact: The bill acknowledges the impact of inadequate teacher preparation and recruitment by raising GPA requirements for entry into teacher training programs and providing new ways to track the effectiveness of teacher preparation institutions.⁸ It also provides financial incentives for top college students to teach in our highest-needs districts. S.B. 24 also raises standards for professional and master certification by switching the focus from education credits and master's degree requirements to high performance in the classroom.⁹ The bill also provides incentives for educators to be part of the Commissioner's Network effort to turn around low-performing schools.

Myth: S.B. 24 devalues advanced degrees that teachers earn to improve skills, except for the master certificate

Fact: Actually, this bill marks the first time a master's degree has ever been written into state law as a requirement for the proposed master certificate. However, there is little evidence that having a master's degree improves teacher skills or raises the quality of instruction at the elementary school level, or that a master's degree raises the quality of teaching. Studies also show that having any sort of advanced degree (versus subject-specific advanced degrees) has generally not been found to contribute to teachers' effectiveness.¹⁰ By shifting the focus away from master's degrees (and we would argue that the bill could go farther in this area), S.B. 24 can help elevate the profession by ensuring that teachers receive and keep a license to teach based on evidence that they can do the job instead of verification that they have spent time in classes that may do little to improve their effectiveness.

Myth: This bill proposes eliminating salary schedules based on degrees or years of experience, and bases salaries only on a single evaluation; the bill removes salary as a subject of bargaining

Fact: The bill requires that local teacher contracts beginning on July 1, 2014 for conditional funding districts would need to base salary schedules on the new certification levels, not on the results of single observations. This requirement would expand to all districts for teacher contracts beginning on or after July 1, 2015. Salary would remain a subject of collective bargaining. No single evaluation would result in a specific placement on a salary schedule.

⁸ Sec. 28 (c)(B)(v)

⁹ Sec. 36 (4) 2012

¹⁰ For example: Does Highly Qualified Mean Highly Effective?; Rothman, Robert and Patte Barth; Center for Public Education (2009); <http://tinyurl.com/6pjvnum>; Teacher Training, Teacher Quality, and Student Achievement; Harris, Douglas N. and Tim R. Sass; National Center for Analysis of Longitudinal Data in Education Research (2007), <http://tinyurl.com/4y8o89p>