



February 18, 2014

Honorable Catherine Lhamon  
Assistant Secretary, Office for Civil Rights

Honorable Deborah Delisle  
Assistant Secretary for Elementary and Secondary Education

Honorable Gabriella Gomez  
Assistant Secretary for Legislation and Congressional Affairs  
United States Department of Education  
400 Maryland Avenue SW  
Washington D.C., 20202

**RE: 50 State Teacher Equity Strategy**

Dear Assistant Secretaries Lhamon, Delisle, and Gomez:

We write to thank you for meeting with members of the Coalition for Teaching Quality (CTQ) in mid-January to discuss the extension of ESEA waivers and the Department's decision to eliminate teacher equity requirements as a condition of waiver renewal. At the January 16<sup>th</sup> meeting, you shared that the Department had chosen to pursue a broad 50 state strategy for equitable teacher distribution, rather than focusing solely on the 42 states with ESEA waivers. You also noted that the Department is only in the initial stages of developing a 50 State Teacher Equity Strategy and that specific details on the strategy were not yet available.

The Coalition for Teaching Quality (CTQ) consists of 100 national, state, and local organizations committed to the principle that federal policy must ensure that all students have access to teachers and school leaders who enter the profession well-prepared to succeed and who prove themselves effective once there. Together, we

represent a diverse spectrum of civil rights, disability, parent, student, community, educator, and education policy organizations.

The CTQ applauds the Department’s goal to develop a robust 50 State Teacher Equity Strategy. Teacher equity is key to ensuring equal educational opportunities, as research is clear that access to fully qualified, experienced, and effective teachers is the most important school-level factor influencing student achievement. Unfortunately, despite the promise of teacher equity made in the No Child Left Behind Act, in the American Reinvestment and Recovery Act, and most recently in the NCLB Flexibility Guidance, high-need students (low-income students, students of color, students with disabilities, English learners, and rural students) continue to be disproportionately taught by teachers who lack the experience, qualifications, and effectiveness needed to ensure student success. A renewed national focus on teacher equity is long overdue. Our Coalition stands ready to work with you in the coming months on developing these new policies and guidance before they are finalized and publicly released. To the extent that informal opportunities are available to provide input into the Department’s draft guidance, we respectfully request the opportunity to do so.

To that end, below we have identified five recommendations for the 50 State Teacher Equity Strategy and implementation guidance for equitable distribution of teachers.

1. **The 50 State Teacher Equity Strategy should enforce Title I’s existing requirements regarding equitable teacher distribution.** Title I of ESEA requires that “poor and minority children are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers.” 20 U.S.C. § 6311(b)(8)(C). The Department’s 50 State Teacher Equity Strategy should, at a minimum, use these three statutory criteria for measuring and enforcing equitable teacher distribution:
  - percentage of teachers who are inexperienced (i.e., first or second year teachers);
  - percentage of teachers who are not “highly qualified”<sup>1</sup>; and
  - percentage of teachers who are teaching out-of-field.

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<sup>1</sup> The Coalition for Teaching Quality continues to believe that the label “highly qualified teacher” should only be granted to teachers who have completed a full preparation program and have met full state certification standards in the field they teach. We continue to oppose federal policies, such as the language in the October 2013 debt deal (P.L. 113–46, Sec. 144) that permits teachers-in-training, including those enrolled in alternative route preparation programs, to be labeled “highly qualified” teachers.

2. **The 50 State Teacher Equity Strategy should require states and local school districts to meet meaningful, enforceable benchmarks for improvement – and hold them accountable for meeting the benchmarks.**

Title I requires every state and district to develop equitable distribution plans, and implementing regulations require that districts must ensure that “[t]hrough incentives for voluntary transfers, professional development, recruitment programs, or other effective strategies, minority students and students from low-income families are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers.” 34 C.F.R. § 200.57(b)(2).

However, the Department has not required states to update their equitable distribution plans since 2006. It also has never established any meaningful benchmarks for achieving equitable access to experienced, qualified, and subject-matter expert teachers, and has never sanctioned any state for violating students’ right to equitable access to such teachers.

The Department’s 50 State Strategy should require states and districts to update their equitable distribution plans. Additionally, the Department should establish clear benchmarks for achieving equitable access to teachers using the three categories outlined in statute (experienced, qualified, subject-matter expert). States that fail to meet these benchmarks should be provided with support, and if they fail to improve, should be subject to sanctions, including, if applicable, loss of their ESEA waiver.

3. **The 50 State Teacher Equity Strategy should build on existing data to establish meaningful, enforceable benchmarks for achieving equitable teacher distribution**, including data available through the **Civil Rights Data Collection** (e.g., data on teacher experience, certification status, and teacher salary) and data expected in November 2014 through the **Secretary’s Teacher Equity Report** required by the September 2012 Continuing Resolution (P.L. 112-175, Sec. 145). This latter report will provide, for the first time, information on the extent to which low-income students, students with disabilities, rural students, and English learners are taught by novice teachers-in-training enrolled in alternative route programs who are deemed “highly qualified” under current law.

The Coalition for Teaching Quality believes that an equitable distribution strategy must distinguish between “highly qualified” teachers who are fully certified, and those who are deemed “highly qualified” as a result of recent changes in federal law that allow teachers who are still enrolled in teacher

training programs to be deemed “highly qualified” for up to three years while they complete their training. Data from California indicate that these novice teachers-in-training are disproportionately assigned to teach low-income, minority, and special education students, and that the students of these teachers perform less well than the students of fully-certified teachers.<sup>2</sup> A 50 State Teacher Equity Strategy should therefore include strategies to equitably distribute novice teachers-in-training enrolled in alternative preparation programs.

Additionally, the 50 State Teacher Equity Strategy should require states to provide data on teacher turnover, as research shows that high teacher turnover negatively impacts student achievement.<sup>3</sup>

4. The Department’s ESEA Flexibility package allowed states to use data from teacher evaluation systems “to measure teacher quality and determine whether a teacher is unqualified” for purposes of meeting Title I’s teacher equity requirements.<sup>4</sup> Does the Department intend to continue and expand the use of teacher effectiveness data as the measure of teacher equity in its 50 State Strategy? The Coalition for Teaching Quality is eager to engage in a discussion of teacher effectiveness within the context of ESEA reauthorization, but it is not clear to us that the Department has authority to include teacher evaluation and effectiveness data in a 50 State Teacher Equity Strategy.

**If the Department does intend to use teacher effectiveness data to measure teacher equity, teacher effectiveness should be evaluated based on a holistic set of valid and reliable measures of teacher performance** that include: 1) evidence of classroom practice; 2) multiple sources of evidence of student learning that are appropriate for the curriculum and the students being taught; and 3) other evidence or related professional practice such as the teacher’s contribution to school-wide improvement.

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<sup>2</sup> See, e.g., Center for the Future of Teaching and Learning, *The Status of the Teaching Profession* (2009), at 76-78, available at <http://www.cftl.org/documents/2009/TCFReport2009.pdf>; California Commission on Teacher Credentialing, *Alternative Pathway to Certification (Intern) Program Report 2010-2011*, at 3, available at <http://www.ctc.ca.gov/commission/agendas/2011-11/2011-11-5A.pdf>; Constantine et al., *An Evaluation of Teachers Trained Through Different Routes to Certification*, U.S. Dept. of Education (Feb. 2009), at xxviii.

<sup>3</sup> M. Ronfeldt, H. Lankford, S. Loeb, & J. Wyckoff, *How Teacher Turnover Harms Student Achievement*, NBER Working Paper No. 17176 (June 2011).

<sup>4</sup> ESEA Flexibility Renewal Guidance (August 29, 2013), at 10.

**The Coalition for Teaching Quality remains deeply concerned with any policy that relies on teacher effectiveness data as the sole measure of teacher equity, as the ESEA Flexibility package does.** By definition, new teachers do not yet have data on their effectiveness. Although we know from the Civil Rights Data Collection that our highest-need students are twice as likely to be taught by novice teachers, this deep inequity—in which our highest-need students are subjected to a steady churn of novice, unevaluated teachers—will be masked if the 50 State Teacher Equity Strategy looks only at effectiveness data.

5. **The 50 State Teacher Equity Strategy must use a comprehensive approach to increasing teacher equity, such as that outlined by the Equity and Excellence Commission in *For Each and Every Child: A Strategy for Education Equity and Excellence* (2013).** Such a comprehensive approach would support state and local policies that will create and distribute greater equity in resources to attract and retain fully-prepared, experienced, and effective teachers in the highest-need schools and districts. It would also incentivize policies that support teachers and build their capacity, especially among those newest to the profession whom research shows are most likely to leave within the first five years unless adequately supported.

We know the Department is eager to move states forward in our shared goal of ensuring all children access to well-prepared and effective teachers. Thank you for considering the priorities of the 100 plus organizations who comprise the Coalition for Teaching Quality as you develop the 50 State Teacher Equity Strategy and Guidance. We look forward to working with you in the coming months to develop and implement this important new Department initiative.

Sincerely,

The Coalition for Teaching Quality

cc: Roberto Rodriguez, White House Domestic Policy Council

## Coalition for Teaching Quality

### National Organizations

Alliance for Multilingual Multicultural Education	Gamaliel Foundation
American Association of Colleges for Teacher Education	Helen Keller National Center
American Association of People with Disabilities	Higher Education Consortium for Special Education
American Association of State Colleges and Universities	Hispanic Association of Colleges and Universities
American Council for School Social Work	Latino Elected and Appointed Officials
American Council on Rural Special Education	National Taskforce on Education
American Federation of Teachers	Lawyers' Committee for Civil Rights Under Law
Association of University Centers on Disabilities	Leadership for the Common Good
ASPIRA Association	League of United Latin American Citizens
Autistic Self Advocacy Network	Learning Disabilities Association of America
Autism National Committee	Movement Strategy Center
Center for Teaching Quality	National Alliance of Black School Educators
Citizens for Effective Schools	National Association of Councils on Developmental Disabilities
Coalition for Community Schools	National Association of Elementary School Principals
Communities for Excellent Public Schools	National Association of School Psychologists
Council for Exceptional Children	National Association of Secondary School Principals
Council of Parent Attorneys and Advocates	National Association of State Directors of Special Education
Disability Policy Collaboration, A Partnership of The Arc and UCP	National Center for Learning Disabilities
Disability Rights Education and Defense Fund Inc	National Consortium on Deaf-Blindness
Easter Seals	National Council for Educating Black Children
Education Law Center	National Council of Teachers of English
FairTest, The National Center for Fair & Open Testing	
First Focus Campaign for Children	

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 Opportunity to Learn  
Campaign  
National PTA  
Opportunity Action  
Parents Across America  
Partnership for 21<sup>st</sup> Century Skills  
Progressive States Action  
Public Advocates Inc.  
Public Advocacy for Kids  
Rural School and Community Trust  
School Social Work Association of  
America  
South East Asia Resource Action Center  
TASH - Equity, Opportunity, and  
Inclusion for People with Disabilities  
Teacher Education Division of the  
Council for Exceptional Children  
TESOL International Association  
United Church of Christ Justice &  
Witness Ministries

## **State and Local Organizations**

Abbott Leadership Institute – Newark, New Jersey  
Action Now – Illinois  
Action Now– North Carolina  
ACTION United  
Alliance for Quality Education (AQE)  
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  
Citizen Action of New York  
Delawareans for Social and Economic Justice  
Educate Our State  
Education Voters Pennsylvania  
Grow Your Own Illinois  
Inner City Struggle  
Justice Matters  
Legal Advocates for Children and Youth  
Montgomery County Education Forum  
Parent-U-Turn  
Parents for Unity  
RYSE Center  
San Francisco Teacher Residency  
Texas Association of Chicanos in Higher Education  
Young Voices-Providence, Rhode Island  
Youth On Board – Somerville, Massachusetts  
Youth Together