



Treating Different Teachers Differently

How State Policy Should Act on Differences in Teacher Performance to Improve Teacher Effectiveness and Equity

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Introduction

Historically, state and local policies have tended to treat all teachers as if they were equally effective in promoting student learning,¹ but a good deal of evidence amassed over the past decade documents enormous variation in teacher effectiveness.² The effectiveness of a teacher is indeed the most important school-based factor determining students' levels of academic achievement, yet few state and district policies reflect this finding.

“Recruiting, developing, rewarding, and retaining effective teachers and principals, especially where they are needed most,” the assurance at the heart of several American Recovery and Reinvestment Act education programs (see page 3), provides the impetus for state and local policymakers to revisit their teacher policies. States and districts can achieve four objectives related to this assurance by recognizing and acting upon differences in teacher effectiveness:

- To encourage the most effective teachers to stay in the profession
- To leverage the talents and reach of the most effective teachers
- To discourage the least effective from remaining in the profession and dismiss chronically ineffective teachers
- To improve the performance of all teachers and thus improve student outcomes

These objectives are particularly important for schools and districts serving large concentrations of students living in poverty. Successful implementation of updated, effectiveness-aware teacher policies hinges on putting actionable information about teacher effectiveness in the hands of managers. Principals need fine-grained information on individual teachers' performance, and agency officials need to see patterns among teacher effectiveness data. Given the requisite information, managers have a chance of allocating resources in ways that promote improved student achievement and a more equitable distribution of teaching talent; without such information, they are driving blind.

The assurances underlying ARRA underscore the importance of improving the usefulness of information on teacher effectiveness through robust data systems and rigorous evaluation systems. This paper offers guidelines around the states' roles in promoting these information systems, and in refining policies that should treat different teachers differently. This paper is intended to offer strategies that can be incorporated into

state applications for the second round of Race to the Top, state and district Teacher Incentive Fund applications, and applications to the Investing in Innovation Fund. These federal programs all include a focus on teacher effectiveness and recognize that more differentiation is needed in the teaching profession.

The paper tackles what we are calling “infrastructure” or the foundation needed for states to use information about teachers,³ such as robust data systems, professional standards for teaching, and rigorous evaluation systems. It then describes how states might better coordinate their policies on evaluation, tenure, and licensure. Finally, it outlines strategies for leveraging the expertise of highly effective teachers, working proactively with moderate performers to improve their skills, and taking urgent action with ineffective teachers to improve their performance or exit them from the classroom.

Education programs within the American Recovery and Reinvestment Act

Investing in Innovation Fund

The Investing in Innovation Fund provides \$650 million in competitive grants to school districts and nonprofit organizations working with districts or a consortium of schools to “expand the implementation of, and investment in, innovative and evidence-based practices, programs and strategies that significantly:

- Improve K-12 achievement and close achievement gaps
- Decrease dropout rates
- Increase high school graduation rates
- Improve teacher and school leader effectiveness”¹

Applicants must have a track record of success and must apply for one of three types of grants—a development grant, for proposals with research based findings or hypotheses; a validation grant, for proposals with moderate evidence to support them; or a scale up grant for proposals with strong evidence of success.

State Fiscal Stabilization Fund

The State Fiscal Stabilization Fund provided a one-time appropriation of approximately \$48.6 billion for states to minimize reductions in education and other essential government services. In exchange for these funds, states were required to commit to advance education reforms in four core reform areas:

- Making progress toward rigorous college- and career-ready standards and high-quality assessments that are valid and reliable for all students, including English language learners and students with disabilities
- Establishing pre-K to college and career data systems that track progress and foster continuous improvement
- Making improvements in teacher effectiveness and in the equitable distribution of qualified teachers for all students, particularly students who are most in need
- Providing intensive support and effective interventions for the lowest-performing schools

Race to the Top Fund

The Race to the Top Fund is a \$4.35 billion competitive grant program to encourage and reward states that are “creating the conditions for educa-

tion innovation and reform” and making significant progress in student achievement and college readiness. The states selected for grants must have ambitious plans in the four core reform areas listed in the description of the State Fiscal Stabilization Fund and are intended to serve as models of the best reform practices and ideas for other states.

School Improvement Grants Program

The School Improvement Grants program provides significant funds to “dramatically transform school culture and increase student outcomes in each State’s persistently lowest-achieving schools, including secondary schools, through robust and comprehensive reforms.”² While the program was authorized under the Elementary and Secondary Education Act in 2002, it did not receive funding until fiscal year 2007. It is currently funded at \$3.5 billion, 3 billion of which was provided by the American Recovery and Reinvestment Act. Formula grants are awarded to states who then distribute them to the districts most in need who also demonstrate the greatest commitment and capacity to turning around their lowest-performing schools. Districts must adopt one of four defined intervention models—the turnaround, restart, closure, or transformation models.

Teacher Incentive Fund

The Teacher Incentive Fund is a competitive grant program that supports performance-based teacher and principal compensation systems in high-needs schools. TIF funds also support pay for teachers who take on additional roles and responsibilities and for teachers who teach in subject shortage areas, such as mathematics and science. Grants may be awarded to states, districts, charter schools, and nonprofit organizations that partner with states or districts. TIF was created in an appropriations bill in 2006 and has been awarded between \$99 million and \$97 million annually until 2010 when it was awarded \$400 million. It was also awarded \$200 million in additional funding through the ARRA.

Endnotes

- 1 U.S. Department of Education, *Investing in Innovation Fund*, October 2009, available at <http://ed.gov/programs/innovation/factsheet.html>.
- 2 U.S. Department of Education, “Fact Sheet: School Improvement Grant” (2009), available at <http://www2.ed.gov/programs/sif/factsheet.html>

State infrastructure

Robust data systems

One of the most critical pieces of a state’s infrastructure for collecting information about teachers’ performance is a robust data system. States must report on their progress toward incorporating the 12 America COMPETES Act elements in their longitudinal data systems as part of the requirements for the State Fiscal Stabilization Fund.⁴ One of these elements is the ability to match individual teacher and student data. As a growing number of states develop this ability, more states will be able to compute the so-called value-added estimates of teacher effectiveness or what a recent CAP paper called “context-adjusted achievement test effects.”⁵ Such estimates can offer comparable and fair measures of teacher effectiveness across a state, at least for teachers in tested subjects.

While value-added estimates have serious limitations as a sole basis for making high-stakes decisions about individual teachers, they do afford states the ability to analyze and report on the distribution of teacher talent between schools within and across districts. These measures are appropriate and useful for examining trends in the distribution of teaching talent, and also for assessing the efficacy of various curricula and other programmatic choices. Moreover, the same technology that enables the production of teacher-level value-added estimates can also furnish related estimates that speak to schoolwide instructional effectiveness.

States should provide individual and school-level value-added estimates to every school and district annually and report the school-level value-added estimates and other data publicly by school poverty and minority quartiles. Then where there are large discrepancies between schools and districts in teacher effectiveness, states can develop policies and strategies to remedy them.

Performance-based professional standards

States’ professional standards for teaching should articulate a vision for effective instructional practice and should be the basis for districts’ evaluation systems. Professional standards should include performance-based standards that articulate what an effective teacher does and what constitutes effective practice. Districts should then develop more detailed rubrics based on these standards that are the foundation for their evaluation systems.

Excerpts of performance-based standards

Performance-based standards for Colorado teachers⁶

The following shall serve as standards for the licensing of all teacher education candidates in Colorado and reflect the knowledge and skills required of beginning teachers.

Standard one: Knowledge of literacy. The teacher shall be knowledgeable about student literacy development in reading, writing, speaking, viewing, and listening.

The teacher has demonstrated the ability to:

1.1 Plan and organize reading instruction based on ongoing assessment.

1.2 Develop phonological and linguistic skills related to reading including:

- Phonemic awareness
- Concepts about print
- Systematic, explicit phonics
- Other word identification strategies
- Spelling instruction

1.3 Develop reading comprehension and promotion of independent reading including:

- Comprehension strategies for a variety of genres
- Literary response and analysis
- Content area literacy
- Student independent reading

1.4 Support reading through oral and written language development including:

- Development of oral English proficiency in students
- Development of sound writing practices in students including language usage, punctuation, capitalization, sentence structure, and spelling
- The relationships among reading, writing, and oral language
- Vocabulary development
- The structure of standard English

1.5 Utilize Colorado Model Content Standards in Reading and Writing for the improvement of instruction.

Rigorous evaluation systems

There has been much attention over the past couple of years focused on the inadequacy of evaluation systems in most districts.⁷ And while the quality of the implementation of evaluation systems rests with schools and districts, states should provide guidance to districts about what a high-quality evaluation system should entail.

State guidelines for evaluation systems

State guidelines should ensure that all districts have a high-quality evaluation system that draws from multiple sources of information, differentiates among teachers, and encourages the use of information from the evaluation system to inform teacher-related policies. States should then assist districts in validating and evaluating their evaluation systems. It is important that districts assess the correlation between results from their evaluation

systems and measures of teacher effectiveness. While these two sources of information will never be perfectly correlated, states and districts should strive for a reasonably strong statistical relationship to ensure the evaluation systems are accurately assessing instructional practice. A high correlation will also ensure that educators and other stakeholders view the evaluation system as legitimate.

Greater frequency

Most states (42) require at least annual evaluations for new teachers.⁸ Yet one annual evaluation may not be sufficient for teachers in their first year or two of teaching. These teachers have a steep learning curve and would benefit from meaningful evaluation and feedback more than once in a school year. This might entail biannual evaluation, or an annual evaluation process that includes multiple observations. More than one evaluation is also important for new teachers because they don't yet have tenure and therefore are much easier to dismiss if they are ineffective. By conducting multiple observations throughout the school year, school leaders have a better sense of how new teachers are progressing and whether they should be retained.

All states should require at least one formal evaluation of all teachers annually, but may want to encourage more frequent informal evaluation.

Multiple sources of information and multiple evaluators

States should require that objective measures of student learning, measures of teacher effectiveness derived from achievement test data, and classroom observations be significant components of evaluation systems. These types of measures all play important roles in evaluating teachers. Value-added measures play an important role as one objective indicator of a teacher's impact on student learning and as a diagnostic tool. They can indicate where more attention is warranted and instruction may be weak, or where things seem to be going well. They can also help in identifying highly effective and chronically ineffective teachers. States should specify that value-added estimates should account for a significant percentage in districts' evaluation systems to ensure these data carry sufficient weight.

Classroom observations help districts assess whether teachers are using effective practices, which practices are correlated with value-added estimates, and whether practices are aligned with the district and state's professional standards for teaching. In addition, feedback from observations is essential to improving teachers' practice. Value-added estimates do not provide much guidance to teachers about how to improve. States may also want to encourage districts to experiment with other measures of effectiveness, annotated samples of student work or lesson plans, parent and student opinion surveys, and self-assessment portfolios in the manner of those assembled by candidates for National Board Certification, for example.

Finally, states should require that multiple evaluators conduct the evaluation, that evaluators be trained to use the system, and that they are knowledgeable about the teacher's subject and grade level. Having more than one evaluator better ensures that a teacher's

evaluation rating is accurate and credible. It also provides a useful check to ensure that bias is not affecting the teacher's rating.

Differentiation among teachers

States should require that evaluation systems differentiate teachers into at least three groups of performance so they can develop policy tools that meet the needs of each group: highly effective, moderate performers, and ineffective teachers. These categories should be defined by the evaluation system and do not have to contain equal proportions of teachers. States are required to report on the “number and percentage of teachers rated at each performance rating or level” for every district as part of the guidelines for the State Fiscal Stabilization Fund. States should review these data to ensure that districts have meaningful evaluation practices and should report them publicly.

States should provide targeted assistance to those districts that are still rating all teachers as satisfactory. They should analyze why that is the case and then provide appropriate training to district staff to remedy the problem. For example, is the problem that principals are rating teachers too highly? Or is the problem that the system itself is designed to give most teachers satisfactory ratings.

States should then develop a set of policy tools targeted to each group of teachers.

Use of evaluation information

Moreover, information from evaluation systems is only meaningful if it is used. States should require that schools provide teachers with evaluation reports in a timely fashion so they can use it to inform their instructional practice. States should also require that districts and schools use information from evaluation systems to make decisions about the types of professional development to offer, awarding tenure, and promoting teachers to leadership positions. In states and districts that offer financial incentives or other rewards for outstanding performance, evaluation information should be used as a basis for these rewards.

Model evaluation system

States should develop model evaluation systems that districts could adopt or modify to meet their own needs. States should have to approve districts' evaluation systems if they are choosing to use their own. It makes little sense for every district in a state to reinvent the evaluation wheel when some helpful models exist. The Teacher Advancement Program, or TAP, provides one helpful model. TAP is a comprehensive school reform created by the Milken Family Foundation and run by the National Institute for Excellence in Teaching that provides teachers with opportunities for career advancement, ongoing professional development, a performance-based evaluation system, and performance pay. TAP has elaborated an evaluation process that actually differentiates among teachers,⁹ and a number of districts have constructed detailed rubrics keyed to standards.¹⁰

States should require that evaluation systems differentiate teachers into at least three groups of performance so they can develop policy tools that meet the needs of each group: highly effective, moderate performers, and ineffective teachers.

States also generally have a greater capacity than districts to test and validate these systems and to develop training resources for districts to use in implementation. States might want to work with a university or nonprofit organization to develop or adapt a model system and enlist a number of districts in pilot testing it before promulgating it as a default option to all districts in the state. The state's role would help ensure that districts' evaluation systems at least meet a baseline vision of rigor while substantially reducing the costs of switching systems. It makes sense to seek such economies since local districts will almost certainly need to allocate more resources—people and time—to evaluation.

While state infrastructure is critical to supplying detailed information that differentiates among teachers—unless the information is used to inform state policy—it won't drive improvements in instruction.

Coordinating evaluation, tenure, and licensure

There are several state policy levers that can help districts in improving the practice of all groups of teachers in addition to ensuring that districts are conducting meaningful evaluations of teachers and analyzing and reporting on their effectiveness. These levers include states' tenure laws and licensure requirements.

State licensure systems and districts' evaluation systems and tenure processes are rarely coordinated, rarely meaningful, and don't recognize effective teaching. Bringing these three systems together would help states and districts support a more coherent vision of effective teaching, and would also help them in supporting teachers at different levels of performance.

Unfortunately, these three systems are designed and implemented at both the state and local level, making coordination more difficult. For example, states have statutes that specify a number of requirements relating to tenure and often have requirements about teacher evaluations, but generally don't specify either process in much detail. States also have primary responsibility for licensure while districts typically enforce state licensure regulations. Districts are responsible for awarding tenure and implementing evaluation systems.

Make tenure meaningful

Teachers in most states receive tenure by spending a period of time in a district rather than meeting a benchmark of performance. In fact, 47 states permit tenure to be awarded virtually automatically, while only four states require districts to consider evidence of teacher performance.¹¹ States should revise their tenure laws to require that the tenure decision is based upon evidence of teacher performance in order to make the tenure process meaningful. The primary evidence should be supplied by a rigorous teacher evaluation system.

Even with a rigorous evaluation system, however, a tenure decision based on only one or two years of data, the current practice in 10 states, may not be a good idea. The reason is that teachers tend to become more effective during their first few years on the job. It would be wiser to base the tenure decision on a trajectory of information spanning several years of practice. States should increase the probationary period for teachers to be somewhere between three and seven years. Furthermore, earning tenure should be directly related to earning a professional license.

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Develop performance-based licensure

Teacher licensure or certification is primarily a state responsibility and therefore almost always disconnected from local evaluation and tenure processes. A rigorous evaluation system based on states' professional standards, however, provides the vehicle for establishing this connection, ensuring that a teachers' performance in a classroom has a bearing on licensure decisions. But the licensure process begins before prospective teachers set foot in the classroom.

Whether they choose the traditional route offered by colleges and universities or an alternate one run by a school district or another organization, the process of becoming a teacher involves coursework and some kind of sheltered exposure to the full brunt of teaching's challenges.¹² Institutions charged with providing coursework and overseeing the practical component are obligated to ensure that successful candidates for licensure have requisite knowledge, which varies by subject and student developmental level,¹³ but very few states ensure that candidates for initial licensure have demonstrated the ability to use this knowledge in the classroom.

A system where these three processes work together and are based on a state's professional teaching standards might operate as follows. All districts would have rigorous evaluation systems that differentiate among at least three groups of teachers, as mentioned in the prior section. These systems would be based upon a combination of a state's professional standards for teaching and the district's more detailed rubric of effective instructional practice.

The state would have a multitiered system for licensure that includes at least two levels, but perhaps three—provisional, standard, and advanced—or their equivalent. States would specify the competencies teachers must demonstrate to obtain each of these licenses, rather than the numbers of courses or credit hours teachers should take.¹⁴ These competencies would be based upon the state's professional standards for teaching.

Teachers would be required to achieve a professional license in order to earn tenure. This system would ensure that teachers know exactly what they need to do to receive a professional license and to earn tenure. Teachers might also have the opportunity to earn an advanced license. Some districts might want teachers to hold an advanced license in order to serve in teacher leadership positions.

Information from districts' evaluation systems would feed into a coherent state system of tenure and licensure with this type of coordination, better supporting a consistent vision for effective instruction. This type of system would also help teachers at each level develop concrete goals for advancement.

In addition to ensuring districts have high-quality evaluation systems that differentiate among teachers, and creating a more seamless system of evaluation, tenure, and licensure, there are specific policy levers that are important for teachers at each level of performance.

Unique policies and strategies for three groups of teachers

Leveraging highly effective teachers

States should develop policy to help schools leverage the talents of the most effective teachers so they can share their practices with other teachers and reach more students. They should also reward and recognize highly effective teachers to encourage them to stay in the profession and incentivize them to go to the lowest-performing schools.

Sharing practices with other teachers

The teaching profession's current structure does little to promote collaboration and sharing of best practices among teachers and doesn't leverage the strengths of the teachers in a particular building.¹⁵ States should encourage districts to develop cadres of master teachers who can serve as mentors, coaches, and leaders of professional development sessions for other teachers. Encouragement could take the form of state grants that districts would have to match, conditional on the elaboration of advanced roles for teachers and supporting elements, like school schedules that allow for greater levels of common planning, peer observation, and co-teaching than are possible under conventional schedules.

Nor do states and districts need to start from scratch. Thriving examples of programs embracing advanced roles for teachers provide useful guidance. The Teacher Advancement Program, for example, includes master and mentor teachers as part of a school's leadership team to conduct teacher evaluations and lead professional development sessions. And The Generation Schools Network has designed a new school model that purposefully staggers teachers' schedules to provide for a longer school year for students and more opportunities for teachers to plan lessons and refine their craft together.¹⁶

Current fiscal challenges mean that states will not be able to fund new grant schemes easily. And the amount of money that should be involved is not trivial. Stipends for teachers taking on new roles must be meaningful, and they will add up. Fortunately, there is a great deal of evidence that funds currently devoted to paying teachers for additional degrees and accrued experience play little role in driving improved outcomes for students. State and local policymakers should strive to redirect funds tied up in conventional compensation differentials to strategic uses. State and local policymakers might also redirect Title II of the Elementary and Secondary Education Act funds to support master and mentor teachers.

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Reaching more students

Policy analysts and researchers have devoted a lot of attention to thinking about how to recruit and retain more talented teachers into the profession. While these strategies are important, they will always be limited by the sheer number of teachers needed every year. According to the Bureau of Labor Statistics, 3,954,000 teachers were teaching preschool through secondary school in 2006, and that number is projected to reach 4,433,000 by 2016.¹⁷

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It may not be possible to muster 4 million highly effective teachers, but it should be possible to extend the reach of the highly effective teachers so that more students benefit from their expertise. In a recent working paper on extending the reach of the most effective educators, Emily Ayscue Hassel and Bryan C. Hassel outline a number of potential models for leveraging the talents of the most effective teachers.¹⁸ These models include inducing highly effective teachers to teach larger classes with financial incentives, capturing and distributing electronic versions of their lessons, and giving them time to offer online courses.¹⁹ Other possibilities include limiting their noninstructional duties to give them more time to offer instruction or help to develop other, less effective teachers. These options also allow highly effective teachers to be recognized for their performance and to be paid more without a greater level of district funding.

States might also hire a team of highly effective teachers that could serve multiple schools remotely or could serve a region within the state.²⁰ These teachers could provide assistance to teachers either on site or by phone or email, could teach courses remotely or online,²¹ or could do a combination of both. This strategy would be particularly helpful in subject shortage areas or for hard to staff schools.

States could develop a number of models for expanding the reach of these highly effective teachers and provide some start-up funding for districts to explore them. Those models that prove effective would then receive ongoing support from district funds. States could encourage districts to use “reach” policies, or policies for expanding students’ access to highly effective teachers, by requiring districts to not only report on the percent of teachers in each rating category, but the percent of students who have teachers in each category.²² States should also reconsider their policies that inhibit “reach” such as across-the-board class-size reduction.²³

Rewarding and recognizing excellence

There are many other ways state policy could encourage highly effective teachers to remain in the profession in addition to recognizing highly effective teachers and expanding their reach. States should provide funding to districts to provide a range of incentives to high performers. These might include salary augmentations for taking on leader-

ship roles, bonuses for outstanding performance, or incentives to teach in hard-to-staff schools. A number of states now have statewide pay-for-performance programs that districts apply to implement—these include Minnesota, Florida, and Texas. States might look to these states for lessons about what is working and what could be improved on in designing their own programs.

Moreover, Congress recently boosted funding for the Teacher Incentive Fund from \$97 million in fiscal year 2009 to \$400 million in fiscal year 2010. The Teacher Incentive Fund is a federal program that provides grants to states, districts, charter schools, and nonprofit organizations that partner with states or districts to implement pay-for-performance programs in high-needs schools, career ladders, and pay for teaching in subject shortage areas. States will have the opportunity to apply for grants to fund these types of programs in their states.

Working proactively with moderate performers

States should develop policies and programs to improve the practice of moderate performers to help them become highly effective. Providing time, support, and the structures to improve their practice is critical for this group. Some moderate performers may just be new teachers who need additional support to become highly effective. Mentoring and induction programs are helpful for this group. Others might need improvement in specific areas. A new vision of professional development, one that is collaborative, highly targeted to teachers' needs, and part of teachers' daily work, is helpful for all of these teachers.

Rethinking professional development

A professional development system should begin with a high-quality mentoring and induction program. New teachers need additional support and the opportunity to learn their craft from an expert. While all teachers should receive professional development targeted to areas of weakness identified by their evaluations, this is particularly important for moderate performers who have the greatest potential to become highly effective if given the right support. Professional development should be sustained and job embedded and should be individualized to address teachers' weaknesses and to meet the needs of the students in his or her school. Research finds that professional development should be of extended duration—an average of 49 hours—to have a positive effect.²⁴

A promising model for ensuring professional development that is individualized and ongoing is the use of consulting teachers or master teachers. The district can hire these coaches to work with teachers individually on improving their practice. They may be assigned to one or two schools within the district or they may focus on a particular subject area. A number of studies, however, have found that coaches are not always as effective as they could be because they are reluctant to provide critical feedback.²⁵ To ensure that coaches

provide the critical feedback teachers need in order to improve, coaches should have some evaluative responsibilities as well.

Another promising model is to provide time for teachers to collaborate and address needs or weaknesses in teams. This collaboration might take the form of a professional learning community led by a master teacher. The Teacher Advancement Program uses this model for its professional growth component. Master or mentor teachers lead weekly professional development sessions in “cluster groups” or groups of teachers teaching similar grade or subject levels. In these groups teachers “can work on teaching skills related to the rubric (the TAP instructional rubric), learn new instructional strategies, analyze student work and achievement data, and plan for instruction.”²⁶

Restructuring time

Schools need to restructure or extend the school day to provide the time for coaching and teacher collaboration. Creating time for teachers to observe highly effective teachers is also particularly important for moderate performers. Elena Silva, a researcher at Education Sector, an independent education policy think tank, describes one model for restructuring teacher time in a paper on the Generation Schools model.²⁷ Generation schools have student electives in the afternoons, such as visual and performing arts, health and fitness, and community service,²⁸ so teachers have two hours of daily planning.²⁹ In addition, teachers get a four-week break twice a year, “three weeks to rest and one week to meet, plan, and observe colleagues.”³⁰ “The breaks are staggered throughout the year, and while one group of teachers is on break, another team of their colleagues steps in to teach their students ‘intensive’ month-long literacy courses focused on career and college planning.”³¹

Another option is to extend the school day to provide additional learning time for students and additional planning time for teachers. Surveys of teachers in Massachusetts schools that have expanded learning time find that teachers spend more time on collaborative planning than comparison schools “(2.3 hours vs. 1.6 hours, respectively).”³² Schools that expand learning time can offer enrichment activities or electives during some of the additional time, providing main academic subject teachers with time for collaborative planning.

State support for rethinking professional development

States might help districts in supporting high-quality professional development by developing quality guidelines for coaching, mentoring, and induction programs for districts.³³ States could also provide funding to support these programs and, as discussed earlier, could establish state-funded “teams” of expert teachers to provide professional development

services and programs for new and struggling teachers.³⁴ States should ensure that districts are evaluating their professional development activities and targeting funds to those programs that are most effective. Finally, states could provide funding to high-needs schools to expand the school day so teachers have additional time for collaborative planning.

Urgent action with ineffective teachers

States should assist districts in targeting intensive intervention to weak performers to improve their practice so they can become moderate performers. Peer Assistance and Review programs are one potential strategy for providing this intervention. States should also revise their tenure statutes to ensure the tenure process is meaningful as discussed earlier in the paper. A meaningful tenure process would reduce the prevalence of ineffective teachers. States should also revise their statutes to streamline teacher dismissal for chronically ineffective teachers.

Peer Assistance and Review

Peer Assistance and Review programs have received a lot of attention in recent months and they have significant potential to improve teaching practice. These programs provide peer mentors who supply intensive support to teachers and evaluate them as well. Programs may either serve new teachers, low-performing teachers, or both. Low-performing teachers who participate and do not improve during the process are then eligible for dismissal.³⁵ Principals usually refer struggling teachers to Peer Assistance and Review programs,³⁶ even though many of the programs allow for colleagues to refer teachers as well. It's difficult and often uncomfortable for a principal to identify a staff member for intervention, which may be why these programs generally serve very few teachers.³⁷ Instead, districts could identify teachers in this group through their evaluation system if other teacher leaders were involved, removing some of the burden principals face in having to identify teachers.

Make dismissal easier for chronically ineffective teachers

Finally, when teachers are given intensive support and aren't able to improve, they should be dismissed. State statutes currently provide little assistance to districts in dismissing chronically ineffective teachers. State statutes should include poor performance as a cause for dismissal in their tenure statute. The definition of poor teacher performance should clearly indicate a documented pattern of ineffective instructional practice and low student achievement and not just egregious conduct or an inability to do their job. Currently, many state statutes do not explain what they mean by incompetence and it has to be interpreted

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by case law. State laws should also connect dismissal to the evaluation process by stating explicitly that teachers who are determined to be continually low performing according to the evaluation process should be eligible for dismissal.

State laws should require that district-level dismissal hearings are completed within a reasonable time period—perhaps 30 to 60 days would be appropriate. It is costly and time consuming to a principal and school district to allow cases to drag on for a year or more and does not benefit anyone in the process.

Conclusion

Finally, once states make these policy changes to make dismissal easier, they should ensure that districts are indeed exiting ineffective teachers. One way to do this is to require districts to report on the percent of teachers they exit, to bring transparency to this figure.

One of the primary assurances states are required to address within several American Recovery and Reinvestment Act education programs—Race to the Top Fund, School Improvement Grants program, and State Fiscal Stabilization Fund—is “recruiting, developing, rewarding, and retaining effective teachers and principals, especially where they are needed most.” State and district policies that differentiate among teachers will help further this goal of giving all students access to effective teachers. A primary state role in meeting this assurance entails ensuring districts are implementing rigorous evaluation systems, developing robust data systems, and helping districts use the information to inform policy decisions, such as decisions about compensation, promotion, and tenure. State policies such as tenure and licensure should also be informed by this detailed information about teachers and should be coordinated to articulate one vision of effective instruction.

This might be a new area of work for many states, and state policymakers may be concerned about intruding on a topic that has traditionally been a local matter. It is clear, however, that the way we’ve done things in the past hasn’t worked to attract and retain talented teachers, particularly in high-poverty schools. The traditional turf issues around evaluation are not constructive. And the U.S. Department of Education is demonstrating through its guidance for ARRA programs that states need to play a greater role in helping districts maximize the talents of their teaching workforce.

Endnotes

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- 2 Daniel Aaronson, Lisa Barrow, and William Sander, "Teachers and Student Achievement in the Chicago Public High Schools," *Journal of Labor Economics* 25 (1) (2007): 95-135; Steven Rivkin, Eric Hanushek, and John Kain, "Teachers, Schools and Academic Achievement," *Econometrica* 73 (2) (2005): 417-58; Jonah E. Rockoff, "The Impact of Individual Teachers on Student Achievement: Evidence from Panel Data," *American Economic Review* 94 (2) (2004): 247-252; Robert Gordon, Thomas J. Kane, and Douglas O. Staiger, "Identifying Effective Teachers using Performance on the Job" (Washington: The Brookings Institution, 2006).
- 3 We first used this term in this paper: Robin Chait, "From Qualifications to Results: Promoting Teacher Effectiveness Through Federal Policy" (Washington: Center for American Progress, 2009).
- 4 The America Competes Act was a law signed by the president in August 2007. It was intended to ensure U.S. competitiveness in the world through investments in research; strengthening education in science, technology, engineering, and mathematics from elementary through graduate school; and developing an infrastructure for innovation.
- 5 Raegen Miller, "Adding Value to Discussions about Value Added: A New Framework for Talking About Teacher Effectiveness" (Washington: Center for American Progress, 2009).
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